

logged last month were housing, transportation, and food. These are not luxuries, they are essentials, and they take up a much bigger share of families' budgets from the middle class on down.

The Democrats' inflation is functioning like an ultrapunitive tax on American families who can least afford it—exactly the opposite of a “high-class problem.”

It didn't have to be this way. The inflation spike wasn't just predictable; it was, in fact, predicted. This past spring, I warned my Democratic colleagues right here on the floor that their unbelievably expensive and poorly targeted spending bill that masqueraded as COVID relief would turn our strong economic recovery into an inflationary mess. Many of my Republican colleagues said the same thing. But Democrats didn't have to take our word for it; even their own favorite liberal economists, like President Clinton's Treasury Secretary Larry Summers and President Obama's CEA Chairman Jason Furman warned that liberal bill might supercharge inflation.

Now, our Democratic colleagues want to ram through another, even bigger, reckless taxing-and-spending spree that would make inflation even worse. Many of those same liberal economists support this new spending spree because of all the leftwing goodies that are packed into it, but even they largely admit—these who support this new leftwing proposal—even they admit the package would make inflation even worse next year.

Steven Rattner, a senior economic adviser to President Obama, just wrote in the New York Times that “The original sin”—the original sin—“was the \$1.9 trillion American Rescue Plan. . . . That has contributed materially to today's inflation levels.” He goes on to say that Democrats' new taxing-and-spending spree “can be deemed ‘paid for’ only if one embraces budget gimmicks, like assuming that some of the most important initiatives will be allowed to expire in just a few years. The result [is] a package that front-loads spending while tax revenues only arrive over [the course] of a decade.” Mr. Rattner cites an outside estimate that “the plan would likely add \$800 billion or more to the deficit over the next five years, exacerbating inflationary pressures.”

Now, the person I just quoted is a former top adviser to President Obama—by definition a liberal Democrat—explaining that the Democrats' new proposal as currently constituted would make inflation worse—worse. He says it is the Democrats' proposal itself that needs to be built back better.

President Biden and his party have already brought needless pain on American families with their reckless spending. Ramming through another multitrillion-dollar, partisan wish list would only compound the damage. The

hard-working men and women of this country cannot afford to be guinea pigs in a socialist experiment where Democrats try to inflate their way out of inflation.

#### CLOTURE MOTION

The PRESIDING OFFICER (Mr. KELLY). Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 463, Brian Eddie Nelson, of California, to be Under Secretary for Terrorism and Financial Crimes.

Charles E. Schumer, Chris Van Hollen, John Hickenlooper, Brian Schatz, Tina Smith, Jeff Merkley, Tammy Duckworth, Patrick J. Leahy, Christopher A. Coons, Sheldon Whitehouse, Ben Ray Lujan, Christopher Murphy, Martin Heinrich, Robert P. Casey, Jr., Michael F. Bennet, Ron Wyden, Raphael Warnock.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Brian Eddie Nelson, of California, to be Under Secretary for Terrorism and Financial Crimes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The yeas and nays resulted—yeas 50, nays 50, as follows:

[Rollcall Vote No. 471 Ex.]

#### YEAS—50

Baldwin	Hickenlooper	Reed
Bennet	Hirono	Rosen
Blumenthal	Kaine	Sanders
Booker	Kelly	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Hassan	Padilla	Wyden
Heinrich	Peters	

#### NAYS—50

Barrasso	Graham	Portman
Blackburn	Grassley	Risch
Blunt	Hagerty	Romney
Boozman	Hawley	Rounds
Braun	Hoeven	Rubio
Burr	Hyde-Smith	Sasse
Capito	Inhofe	Scott (FL)
Cassidy	Johnson	Scott (SC)
Collins	Kennedy	Shelby
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Cramer	Lummis	Tillis
Crapo	Marshall	Toomey
Cruz	McConnell	Tuberville
Daines	Moran	Wicker
Ernst	Murkowski	Young
Fischer	Paul	

(Whereupon, Mr. HICKENLOOPER assumed the Chair.)

(Whereupon, Mr. LUJÁN assumed the Chair.)

The VICE PRESIDENT. On this vote, the yeas are 50, the nays are 50. The Senate being evenly divided, the Vice President votes in the affirmative.

The motion is agreed to.

The PRESIDING OFFICER (Mr. LUJÁN). The majority leader.

#### LEGISLATIVE SESSION

#### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2022—MOTION TO PROCEED

Mr. SCHUMER. Mr. President, I ask unanimous consent to resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. I move to proceed to Calendar No. 144, H.R. 4350, the National Defense Authorization Act.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

Motion to proceed to Calendar No. 144, H.R. 4350, a bill to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Mr. SCHUMER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WICKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HICKENLOOPER). Without objection, it is so ordered.

#### INTERPOL

Mr. WICKER. Mr. President, this Saturday, the International Criminal Police Organization, better known as INTERPOL, will begin its annual General Assembly in Istanbul.

INTERPOL is a vital global law enforcement network that helps police from different countries cooperate with each other to control crime. Unfortunately, it has also become a tool in the hands of despots and crooks who seek to punish dissidents and political opponents in an effort to turn other countries' law enforcement against the rule of law.

Rooting out this sort of abuse should be the top priority going into the INTERPOL General Assembly. These abuses make a mockery of INTERPOL and are threatening its continued existence.

INTERPOL's Constitution cites the universal declaration of human rights as the basis for police cooperation. Importantly and significantly, Article 3 of that declaration forbids INTERPOL from engaging in any “activities of a political, military, religious or racial character.”

All 194 member nations have committed to uphold Article 3 and the entire INTERPOL Constitution. So it is troubling—as a matter of fact, it is even worse than troubling; it is egregious—that INTERPOL chose to host this year's General Assembly in Turkey, a country that has become one of the worst abusers of INTERPOL's Red Notice and Blue Notice systems.

Turkey has repeatedly weaponized INTERPOL to persecute and arrest government critics on politically motivated charges. Journalist Can Dundar is a prime example. Mr. Dundar is one of Turkey's most prominent media personalities and has received international awards for defending freedom of the press.

In 2018, Turkey demanded that INTERPOL issue a Red Notice for Mr. Dundar's arrest. What had he done? He simply criticized his government. He had reported on the Turkish Government supplying arms to an Islamist group in Syria. He was charged by a Turkish court with espionage and aiding a terrorist group—the group was never named—and sentenced to 27½ years in prison in absentia.

Thankfully, Germany has refused to extradite Mr. Dundar, but this is the sort of thing we see from this year's host of the conference.

In June of this year, Turkish media reported that INTERPOL had rejected nearly 800 Red Notices sent by the Turkish Government.

A Swedish human rights group reported that in 2016, after the failed coup in Turkey, the Turkish Government filed tens of thousands of INTERPOL notifications targeting persons who were merely critics and political opponents of the government. Some of these people were stranded in international airports, detained and handed over to Turkey, where they ended up in prison.

There are also alarming signs that Turkey is trying to leverage this year's General Assembly to further its own authoritarian goals. This past June, Turkish Deputy Foreign Minister Yavuz Selim Kiran openly asserted that the General Assembly in Istanbul “will be an important opportunity . . . [to] explain in detail . . . our rightful position regarding our fight against terrorist organizations and our rejected Red Notices.”

Translation: Turkey plans to use this high-level event to mislead and lie to the international community. They will no doubt try to explain why President Erdogan should be able to hunt—hunt—down his critics in foreign countries, using foreign law enforcement through INTERPOL. This will be a travesty—one that indeed threatens the legitimacy and future viability of INTERPOL.

Of course, Turkey is not the only offender we could talk about. Russia, China, and Venezuela have routinely misused INTERPOL to oppress their critics. The case of Bill Browder, a fierce critic of the Putin regime and

advocate for the Magnitsky Act, is probably the most well-known example of such abuse. Vladimir Putin has issued no fewer than eight INTERPOL diffusions seeking to have Bill Browder extradited—none of which, thankfully, have been obeyed.

These abuses should not be allowed to go on. INTERPOL needs protection on behalf of countries that actually believe in human rights, that believe in open dissent and the rule of law. Providing that protection is why I have introduced the Transnational Repression Accountability and Prevention Act, or TRAP Act. This is a bipartisan effort, with four Republican cosponsors and four Democratic cosponsors. This bipartisan legislation would fortify U.S. systems against INTERPOL abuse and would require that we use our influence to push forward due process and transparency reforms at INTERPOL. American law enforcement should never be doing the work of foreign crooks and dictators.

I hope that I can count on my colleagues in this Chamber to support this much needed legislation, and I invite my colleagues to be added to the cosponsor list.

The PRESIDING OFFICER. The Senator from South Carolina.

REMEMBERING HUGH K. LEATHERMAN, SR.

Mr. GRAHAM. Mr. President, later this afternoon, I will be introducing with Senator SCOTT—my colleague from South Carolina, TIM SCOTT—a statement for the record honoring the life of Senator Hugh K. Leatherman, Sr.

We just lost one of the most distinguished members of the State Senate in the history of South Carolina. Senator Leatherman was a 40-year member of the South Carolina State Senate. He was the finance chairman, and his leadership is legendary. With his help and assistance, the Port of Charleston is on track to become one of the premier ports on the east coast. He was indispensable in recruiting Boeing, Honda, and Volvo to South Carolina.

He was a dear friend of both myself and Senator SCOTT. I have never known a more effective voice for South Carolina. He loved the Pee Dee, the Florence area he represented, but when it came to helping South Carolina, Senator Leatherman was always there. You could count on him to lead from the front. Trying to solve problems was his life's work rather than creating problems.

I want to let the people of South Carolina know we have lost a giant. There will be a big vacuum, and all of us in our State are going to have to up our game to replace the vacuum created by Senator Leatherman.

His legacy is just extraordinary. He touched so many lives. He led the effort to put \$300 million up front to deepen the Port of Charleston at a critical time. I could go on and on and on about how he helped every corner of the State, from the mountains to the sea. He was a giant of the South Caro-

lina Senate. His voice will be missed. He has a record of accomplishment that is just, again, legendary.

To his family and legions of friends, we mourn Senator Leatherman's loss, but you have a lot to be proud of. Now is the time to celebrate this great statesman's life. Senator Leatherman was truly a statesman. He could work across the aisle. He knew how to get things done. He used the power given to him by his constituents and his fellow colleagues in the South Carolina Senate for the greater good. There is no better legacy or no better statement about a politician than to say that he used his power for the greater good.

The statement will be forthcoming from myself and Senator SCOTT.

To his family and friends, we stand with you. You will not go through this journey alone.

To my many friends in South Carolina from the Pee Dee, you lost a great champion, and I will do everything I can to help fill that vacuum and void.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. KING. Mr. President, I rise to discuss the National Defense Authorization Act for Fiscal Year 2022.

I want to make two basic points at the beginning and then discuss some of the specifics of the bill.

The first is the word “deterrence.” The cornerstone of our defense policy is deterrence. The best battle is the one that doesn't occur. The best war is the one that doesn't occur. And there are those who will say that this bill authorizes a very large amount of expenditures. I can assure you that war would dwarf the expenditures in this bill.

And deterrence is the whole idea of having a force that would convince any potential adversary that attacking the United States is a losing proposition, that it would cost them more than they would ever gain.

That has been our strategy for many years. It is our strategy going forward, and I will talk about it in some specific terms with regard to this bill. But it is important to understand that that's why we are doing this defense bill, is to provide and strengthen and ensure that this country has the forces and the weapons that are necessary to deter any potential adversary.

The second concept that, generally, I want to discuss is consensus. When I go home to Maine, people are amazed that we do anything together, because all they see on the TV news and read in the newspapers is about conflict—bickering, arguing, differing. Why can't they get anything done? What they don't know is that we do get a great deal done, and a lot of it is by unanimous consent, by consensus.

This bill is a good example. This is the 61st year that the National Defense Authorization Act has come to Congress, and we hope it is going to pass this year. For the past 60 years, every single year, we have passed a National Defense Authorization.

And we usually—well, not usually, not almost always—we always pass them on a bipartisan basis. This bill came out of the committee 25 to 1. That is pretty close to unanimous. And we always get substantial support in our committee, the Armed Services Committee, but also on the floor of the United States Senate.

Why?

Because the Members of this body, just as the people across this country, are committed to those who serve in uniform, and they are committed to the idea of peace and the idea of deterring adversaries and avoiding conflict and war.

They all think that all we do is argue, and this bill is proof that that is not the case.

When I first got here, my first two chairs of the Armed Services Committee were Carl Levin and John McCain, Senators who represented, in my mind, the best of the tradition of this Senate. They argued fiercely in favor of their positions, worked hard to resolve conflict within the committee, and were absolutely committed to the values of the United States of America.

Despite all the partisan differences that exist in the country, this bill is an example that we are still united when it comes to the defense of the United States.

It comes on the heels of Monday's signing of the historic bipartisan infrastructure bill. I think it is interesting that the bill has in its name—it has a name, I am not even sure what it is, but everyone refers to it as the "bipartisan infrastructure bill" because it was supported by bipartisan majorities in both Houses. And in this bill, we are coming together to do something similar, to support our country and, particularly, to support those who put their lives on the line to defend this country.

And I want to stop there for just a second. We all go through life getting various jobs, signing up for jobs, applying, and then you sign a form and you join the company. There are very few jobs in our society when you sign on the dotted line, you are literally putting your life on the line. Members of the military and first responders are the only people I can think of that do that. It is something we need to remind ourselves. In addition to all the other responsibilities that you are taking on when you join the military, you are literally signing to commit your life, if necessary, in defense of this country.

I believe this bill is essential to protecting our servicemembers, the industrial base which serves the defense of our country, and, collectively, our national security. The Armed Services Committee has produced a bill that will make our Nation safer and stronger.

For example, taking care of our servicemembers: 2.7 percent pay raise for military servicemembers and the Department of Defense civilian workforce. That pay raise is important, and

if this bill doesn't pass, it won't happen. So that is one of the immediate reasons that we need to pass this bill, to provide a pay raise to our military personnel.

They will also receive 12 weeks of parental leave for birth, adoption, and foster care placement of a child.

One of the provisions that I am interested in is that there is substantial support in this bill for our naval infrastructure. It authorizes funding, for example, to Arleigh Burke-class destroyers, which Bath Iron Works in the State of Maine will be able to compete for, and this, in furtherance, supports our Navy's ability to deter adversaries around the world.

It is no secret that the Pacific is an important area of potential conflict. And the Pacific is an ocean and it requires ships in order to project power, and those ships are built here in America. And this bill demonstrates Congress' intent to support the Navy, to support shipbuilding, and to support the industrial base.

One of the things the bill does is provide for a new—what they call a multiyear contract, where the Navy commits to buying more than one ship at a time, which gives them a better price per ship. That is good for the taxpayers and also gives some assurance to the industrial base that the jobs will be there and the work will be there in order to maintain the support.

We often forget that the companies that do these—produce these amazing products cannot be turned off and on like a switch. I have visited shipyards. I visited in Norfolk; I visited in Maine, Portsmouth, and at Bath Iron Works many times. And these are amazingly complicated pieces of machinery. I believe that the destroyers built at Bath Iron Works are quite possibly the most complex product built in America.

And the people who build them have to know that they are going to have a job a year from now and 2 years from now. We can't go herky-jerky from one year to the next. Once you lose a welder who goes somewhere else, it is hard to get them back.

So the maintenance of the industrial base, whether it is in shipbuilding, aircraft, humvees, whatever the vehicles are, whatever the platforms are that support our military, it has to be done on a consistent and predictable basis so that those factories, large and small—and, by the way, there are thousands of small businesses that support these larger industries. They have to know that there is some future, and that is why things like a multiyear procurement is very important. This industrial base is not something that you can turn off and on.

There is a research provision in this bill that is very important. University of Maine is one of those universities that provides vital research to the military, because we always have to be thinking not about the last war or the last conflict, but the future. And everybody in this room knows that the fu-

ture is going to be based upon newer and newer and newer technologies. So research is an essential part of building the strength of this country.

I worked for the last 2 years on something called the National Cyberspace Solarium Commission. Our job was to come together to form and recommend—recommend—a national strategy in cyberspace to defend this country, which we did in March of 2020. A number of the recommendations of our commission were enacted last year, either in the National Defense Authorization Act or in other areas of legislation that we passed. And, this year, there are some really crucial ones in this year's National Defense Authorization Act—crucial provisions to defend this country in cyberspace.

The next 9/11 will be cyber, and if we are not ready for it after all the warnings that we have had, shame on us. Worse than shame on us; it will be destructive of this country. And that is why I am so proud that there are provisions in this bill that will help us to respond, that will help us to understand what is going on, will help the private sector and the Federal Government to work together to meet and defeat this 21st century challenge.

In many ways, cyber is a new manner of conflict. We have to reimagine conflict. Traditionally, we think of conflict and war as Army versus Army and Navy versus Navy, Air Force and Coast Guard, and now the Space Force.

But cyber is all about the private sector. Eighty-five percent of the target in cyberspace is in the private sector, and they are not going to have their own army. So that is where there has to be a new relationship of trust and confidence between the private sector and the public sector in order to successfully defend this country in cyberspace. And, indeed, there is a provision, hopefully, that will enter this bill through the manager's package that will deal exactly with that subject.

This bill also secures the future of the nuclear triad. Strategic forces, otherwise known as nuclear weapons, are hard to talk about. They are hard to think about because they are so horrendous.

But to go back to the beginning of my remarks, the issue here is deterrence, and we have had a deterrent strategy virtually since 1945, and it has worked. Thank God there has not been a use of nuclear weapons since 1945.

Why?

Because of the strategy that every adversary knows that they will pay an awful price, if they attack us, using nuclear weapons.

As chairman of the Subcommittee on Strategic Forces, we have had hearings, we have had discussions, we have had readings on how do we successfully modernize our nuclear triad—bombers, submarines, and missiles—in such a way as to ensure the vitality of the deterrent strategy.

The problem is that all three of those legs of the triad have basically been

unattended to for 30 or 40 or sometimes 50 years. And as they degrade in capability, so also degrades the capability of our deterrence.

If the adversaries look and say, "They are trying to fly 50-year-old airplanes, or they are trying to defend themselves with missiles that they are unsure of whether they will work," then the adversary says, "Well, maybe we can get away with an attack."

And therein lies a path to a horrendous nuclear conflict, which has to be avoided. The best way to avoid it is to be sure that our deterrence is credible. The only way to make it credible is to be sure that it is modernized. That is exactly what this bill contemplates.

Another provision of this bill that, I think, is critically important is a substantial change in the military code of justice, with regard to sexual assault, that puts in place an independent prosecutor system to take the decisions about moving forward on sexual assault claims out of the chain of command and puts it in a special professional prosecutor's decision.

I think that is important not only for the practical effect, but for the message that it sends to soldiers and sailors and airmen and guardsmen that we are serious about this; that they can feel comfortable reporting violations; that they can come forward and that there is no danger that the complaints that they make will be swept under the rug.

I think this is an important provision of this bill, and I want to commend my friend Senator GILLIBRAND, who has spent as long as I can remember—as long as I have been on the committee, which is 9 years, working on this issue, and, in many ways, this is the culmination of her work.

Another provision of this bill that I am particularly interested in is that we learn the lessons from 20 years in Afghanistan. Senator DUCKWORTH has proposed the creation of an Afghan war commission, an independent commission, not made up of generals, not made of people who were in Afghanistan, but of people who can take a clear-eyed look at the successes and mistakes concerning our engagement in Afghanistan. I think this commission is an important idea. I was delighted to support Senator DUCKWORTH's proposal.

Another provision that we hope will be included within the National Defense Authorization Act this year is the United States Innovation and Competition Act, which we have already passed here in this body, but if we put it in this bill, it will then go to the other body, and there will be consideration there.

This is a critical piece of legislation to enable competition with China. And make no mistake, we are in competition with China. So passing that bill as part of the national defense bill, to me, makes total sense because we are talking about national security, and being competitive in areas like AI and chips

and quantum computing is as much a part of national security as bombers and submarines.

It also includes a provision about competition in the Arctic, which is one of the areas of the world that is opening to competition and, potentially, to conflict. We don't want that to happen.

Finally, the bill reasserts the fundamental congressional responsibility—I almost said "prerogative," but it is not. It is a responsibility of Congress to make the decision as to when this country is committed to war.

In recent years—well, a little history. The last time the Congress declared war was in 1942. We have had AUMFs, authorizations for use of military force. This bill will repeal two of the early AUMFs that have been used as a kind of blank check by the executive to deploy troops and engage in conflict around the world. In 1991 and 2002, there were AUMFs involving Iraq.

If you go back to the debates of the Constitutional Convention, I think it was—I want to say—August 17, 1787, when there was a debate about the war power, and there were those who said the Executive has to have the power to declare war; Congress is too cumbersome; the Executive can only do that.

There were others who said: Wait a minute. We rebelled against the King of England because we didn't like the King and the prince being able to unilaterally take us into war.

The compromise was to divide the responsibility. The President is the Commander in Chief, but Congress has the responsibility to declare war. This power has not been usurped by modern Presidents. It has been abandoned—it has been given up—by modern Congresses. This bill is a step away from what, I think, is a serious gap in our adherence to the fundamental purpose of the Constitution.

So there is plenty of good in this bill; there is plenty to celebrate. I am delighted to be able to support it. I have only just scratched the surface, but it is a kind of truism that you will never be successful in a military context if you are fighting the last war. You have to think about conflict in the future.

In Maine, sometimes people say: We have never done it that way before.

I am sure the Presiding Officer hears that in Colorado, and you hear it all around the country: We have never done it that way before.

If that is our attitude, we are sunk. We have to think about what is coming at us, about what is in the future.

Cyber will be part of any kind of conflict we may become engaged in, and I hope we never become engaged in a serious conflict. Again, that is the entire purpose of this bill. It is to deter any potential adversary from thinking that they can successfully attack this country.

This bill defends the interests of America. It defends the interests of our military and our wonderful military people who are deployed around the

world and, as I say, who are putting their lives on the line for this country.

We can come together, hopefully, in the next few days, in a bipartisan way, to pass this bill, to pass the word, in the words of President Kennedy, "to friend and foe alike," that we will accept the burdens of leadership and that we will meet our responsibility to John McCain, to Carl Levin, to all those who have come before us, and to the people of the United States of America.

I yield the floor.

The PRESIDING OFFICER (Ms. ROSEN). The Senator from Missouri.

#### INFLATION

Mr. BLUNT. Madam President, one of the most striking things, I think, we are beginning to notice this year is that the holidays are taking on a really different look than we have seen in a long time.

Actually, for about a generation now, we have seen more choices and, more often than not, declining prices, which has made it possible for American families to have things that, in the past, they had not thought were possible for them to have.

The pandemic, of course, was a big obstacle a year ago, as people were forced to alter or cancel their plans for their families to get together. And I think many of us were really looking forward to a more traditional holiday season this year. Hopefully, that season still allows people to get together.

But I think we are also beginning to see people think they are going to have to scale back their celebrations or be prepared to pay a lot more for them; maybe just simply paying a lot more to get there, to start with, as gasoline costs have gone up dramatically. I think we are about 46 percent higher in our gas costs than we were a year ago. For a lot of families, that is a deciding item of whether you can actually get to Grandma's house or not.

This time, the change in plans isn't because of the virus; it is because of inflation and supply side issues that, frankly, the government has done a lot to help cause.

Jason Furman, who was the Chairman of President Obama's Council of Economic Advisers, said recently: "The original sin was [the size of the] American Rescue Plan."

According to Jason Furman, he said: "It contributed to both higher output [and] also higher prices."

Now, what he was talking about was the American Rescue Plan. This was the so-called COVID relief plan from March. It was a law that the Democrats passed entirely by themselves—despite there being a lot of warnings that the economy was already beginning to recover—that put another \$2 trillion into the economy, including a lot of money that went to State governments that, clearly, didn't need it and local governments that, maybe, needed it a little more than the States did.

We had States that were having all-time high revenues, and we had already

helped States in a number of different ways. Then, suddenly, we had to beat all of that by sending money to States and sending \$2,000 to everybody, almost, and thought that wouldn't have any impact.

I am not sure who we were trying to save in this effort for relief. There was no reason to believe, in March, that the economy wasn't headed on the way back. What we did in March with that legislation was just pour more fire on an economy that was already about to roar back in a good way.

The warnings were right on the money. In October, inflation rose 6.2 percent over the cost of a year ago. That is the highest increase in inflation in 30 years.

A lot of Americans alive today and, certainly, a lot of Americans who are in the workforce today don't remember the inflation of the seventies and the early eighties that made it just hard for families to keep up; that made it hard for families to buy a house; that made it hard for families to pay the basic bills.

I hope that we are not going to get a strong reminder of that, but it certainly looks like we are.

The prices for many of the things that will be on the Thanksgiving table are going up. The New York Times, about 2 weeks ago, had a front-page article that this would be the most expensive Thanksgiving ever. Then they went through that list of things to talk about that.

The price of turkey, by the way, has gone down a little bit in the last few days. It was projected to be 20 percent higher. It is only 18 percent higher. So your principal protein on the Thanksgiving table will cost 20 percent more or 18 percent more than it did a year ago.

Other protein is even higher than that. Potatoes are 17 percent higher than they were a year ago. Green beans are 39 percent higher than they were a year ago.

I don't know if we are beginning to see a pattern here or not, but there, clearly, is one.

Butter is about 30 percent higher than it was a year ago. If your grandmother's recipe for stuffing—or, as my grandmother called it, dressing; we had turkey and dressing when I was growing up—includes onions, onions are 50 percent higher than they were a year ago.

So, between the labor shortages, the high costs of raw materials, and more expensive transportation, the food supply chain is just about as messed up as the rest of the supply chain.

We don't import nearly as much food as we may import other things, but that food supply chain isn't working for us either.

Now, shoppers are already beginning to see bare spaces on grocery store shelves. Places you were going 6 months ago, when you had a choice or even 6 weeks ago when you had a choice, suddenly there is one item

there of what you are trying to buy or maybe no items of what you are trying to buy. There is just simply not a choice that you can make at the store because the product you want to get is not there—and not just the brand-name product, the product is not there in growing cases.

What are we going to see when the Christmas holiday—the holiday shopping season really begins right after Thanksgiving. Black Friday, or whatever other day you are going to do that shopping in, I think you are going to see—American families and American individuals are going to see lots of challenges.

Wait times for ocean freight—we have all seen those pictures now of the backup of ships waiting to get to the port in every port in the country—every port in the country. Wait times are about 45 percent longer than it was last year at this time.

Shipping rates from China are around 400 percent, four times higher than they were a year ago. Things that cost \$2,000 a container now are much more likely to cost something like \$12, \$15, or even \$20,000, just for the container—moving the container from where it is filled up to where it gets off the boat at one of our ports.

Traffic jams at the big ports are a problem in every place. There is a shortage of 80,000 truckdrivers to move things once they get unloaded.

We made it so appealing for some people to stay home from work that they have, at this point, still decided not to go back to work or decided to retire early. They were getting that enhanced unemployment check for a couple of years, decided that maybe that life in the truck, which is a hard life, or that life on the dock, which is a hard life, or that life at the grocery store stocking shelves, which can be challenging every single day, or any other job was just not a job that they were going to go back to.

I mentioned President Obama's economic adviser earlier. Well, he said another pretty revealing thing at the same time when he talked about supply-side problems. He said, and this is his quote also: "It would be foolish to count on a return to normal within the next year." Within the next year.

So things are not going to get better if we don't get back. They are likely to get worse.

Then he said inflation "is likely to remain uncomfortably high."

Now, I am not going to talk about what his personal economic circumstances may be, but if they are uncomfortably high for him, they are painfully high for lots of families.

So here we go again. By the way, not only was the \$2 trillion bill done just by one party—not a single Republican voted for it in March. Not only did that feed the flames of inflation, but now we are right back talking about a bill that if every program was extended through the 10 years, it would be a \$4 or \$5 trillion bill. It is impossible to understand

how you wouldn't see that as another thing that is going to really create great risk. We have had every warning sign we could possibly have.

When Washington pays people not to work, it gets awfully difficult to fill all the open jobs. When Washington gives people money that Washington has borrowed or just simply kind of made up, that is awfully hard.

The predictions that have been made about what happens with excessive unemployment payments, the predictions that have been made about money borrowed and put into the economy that we don't have, have actually turned out to be right on target.

So Republicans are warning again, if our colleagues on the other side continue to plan to move forward with another—however number you want to describe it. I think it is very fair, if all of these programs are extended, to describe it as \$4 to \$5 trillion. It is fair to describe it as \$2 trillion, if actually you start these programs that people will like having government take this new responsibility and then think they can actually stop after 1 year or 2 years or 3 years.

Nobody believes that, and frankly I don't know anybody on the other side who thinks that is the plan. They understand the plan is to have a \$2 trillion pricetag and a \$5 trillion ultimate payout for the things that that pricetag starts to pay for.

Nothing about being uncomfortably high—let's talk about the pain that you could have as you tighten your belts not just for the holidays but for the foreseeable future.

Transportation, food, home heating in the winter, it doesn't get more basic than that. And if transportation costs go up, gasoline goes up 46 percent, food goes up 15 to 20 percent. Home heating costs are projected, in many places, to go up somewhere between 50 and 100 percent. Even if you got a little bit of a raise at work, that raise is immediately taken away by just the basic fundamental things you have to have.

We need to work with our friends on the other side. We need our friends on the other side to see the warning signs of what has happened with what we have done, what has been done this year already, and exactly understand what will happen.

If we do more of the same, we are going to get more of the same, and more of what is happening right now is not what people we work for need or deserve. I hope we get serious about the things that our actions create.

With that, I yield back.

The PRESIDING OFFICER. The Senator from Tennessee.

Mrs. BLACKBURN. Madam President, I appreciate my colleague from Missouri and his remarks about how we need the other side to work with us. And that is so very true because this administration, the Biden administration, has refused to drag themselves away from the political posturing and move toward actually governing and

addressing the problems that the American people would like to see addressed. They have sent this economy into the gutter.

Now, think about it. Just a few years ago, we had the best economy that we had had in decades. Unemployment for women, for African Americans, for Hispanics hit an alltime low; wage growth at an alltime high. Now the economy is in the gutter. Our southern border is now in shambles. The hearing we had yesterday with Secretary Mayorkas was so dissatisfying because he did not have facts and figures and answers, and we see a country that is incredibly divided.

But at least the American people now know just how in denial the White House is about what is takes to be living in the real world. Their constant attempts to downplay the mess they have made have had the opposite effect, and now everyone knows just how out of touch they are with anyone who regularly pulls in at the gas station to fill up their own car or darkens the door of a grocery store to buy the groceries that they need.

Yesterday, I came to the Senate floor and asked the question: What will it take for the Biden administration to take the threat of Chinese aggression seriously?

The evidence is staring them in the face, and yet they refuse to acknowledge that there is a danger; that China is our adversary. Certainly, the President's phone call did not give us any comfort in knowing that he understands they are an adversary.

And today, I have a similar question: What will it take for the Biden administration to take the American people seriously when they repeatedly warn us that the economy is in trouble? They are living the warning signs every single day.

But try as they might to convince us otherwise, this administration's talking points are all about happy talk, better jobs numbers, and the pockets of growth. But this is not anything that is representative of the economy at large.

Still, every policy that they proposed this year assumes that the costs of inflation are a myth; that inflation is concocted by Republicans; that it is there as a talking point to scare American families.

How completely out of touch can this administration be? They are proving the point that they are elitists; that they live in a bubble.

What they keep saying to people is: Oh, you know, it is a dollar here. It is a dollar there. It doesn't really matter that much.

But, of course, it does matter.

Anyone who has taken the time out of their life to rear a family and any mother who gets up in the morning and she is trying to feed the kids and get them to school and shuttle kids into the minivan and then she is off to work and then they are off to activities in the afternoon, she knows that pennies

add up to dollars, which adds up to hundreds of dollars, and it goes quickly—in a hurry.

I talked to someone last weekend. They were talking about how a manageable trip to the grocery store now has the potential to just blow their budget. They are somebody who likes to use cash, not credit cards. They put it all in envelopes, and they plan out their expenditures. They are seeing firsthand what this budget is doing to their monthly budget for their family.

The sad thing is, this is all happening just in time for Thanksgiving, just in time for the Christmas holidays.

But, you know, you don't need to take my word for it. My colleagues don't need to take my word for it. Let's look at the Bureau of Labor Statistics to tell the story. This is a Federal bureau, and they keep this data. Their data is telling quite an interesting story.

I have a poster here that actually shows you the percentage increase you are going to see. The Thanksgiving turkey will cost you 6.1 percent more this year than last. If you want to get a ham, that is going to be an extra 12 percent. If you are serving veggies with the turkey and ham, that is an extra 8.2 percent. The price of a cup of coffee for after dinner, that is up 5.7 percent. And the grand finale, the homemade apple pie is up 5.1 percent. And I hope that you weren't planning on driving out of town for your Thanksgiving dinner because gas prices are up \$1.23 a gallon since last October. Think about that, \$1.23 a gallon—a gallon.

Now, this is sticker shock every time you pull into the gas pump. It is sticker shock every time you go to the grocery store. And, as you can see what it was last year, you are seeing these stickers on gas pumps all across Tennessee.

Yes, the Biden administration, they can say: I did that.

Decisions that the President has made—stopping the Keystone Pipeline, moving us from being energy independent and exporting oil to making us dependent on OPEC, of all things, so that we can drive our cars and heat our homes—it outrageous.

I would encourage President Biden and my Democratic colleagues to remember that, when it comes to budgets and families managing their way through this inflation, they can't have it both ways.

Back in January, they told congressional Republicans that their bipartisan bailout bill was the only thing standing between the average American family and financial ruin. Now, the very idea that pricing and spending power matters seems extremely unpopular with our friends on the left. Suddenly, they expect the American people to put on a brave face, to treat shortages like a minimalist trend, and to cut back where they can.

Do you know what, Madam President? The American people don't want to live in austerity; the American people

want to go to the grocery store and find the food that they need. It is stunning, the attitude of the left. It is stunning, the disregard that they have for average American families who are working hard every single day.

Of course, people who are now struggling to make ends meet could stay home. They could stay right at home this holiday season. They could park the car, cook a small meal, and swallow their disappointment. But do you know who won't be doing that this holiday season? President Joe Biden. You won't see him making sacrifices to sustain the narrative.

I have a feeling I won't see many of my Democratic colleagues passing on Thanksgiving dinner to show solidarity with families who couldn't stretch their paycheck far enough for that Thanksgiving turkey.

I would hope that something here in all of this data would remind you. The Bureau of Labor Statistics—that is where I am getting the data. I am hoping it would remind my friends across the aisle that this is not about proving a point. This is about the average American's growing inability to put food on the table.

You may not have to worry about an extra \$30 or \$40 on the grocery bill, but most Tennesseans do worry about that. And for some people spending more isn't even an option.

It is time to adjust the priorities of the Democrats. It is time for this administration to adjust their priorities. It is time for them to meet the people where they are and not where they think that the people should be forced to go by their socialist agenda.

I would encourage my colleagues: Pay attention to what the people of this country are telling you. Govern accordingly. People are depending on it.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BARRASSO. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. BARRASSO. Madam President, I come to the floor today to talk about our Nation's defense.

Last week, America marked Veterans Day. I was in Wyoming and started Veterans Day the way I do every year, which is in Douglas, WY, in Converse County, at the American Legion.

We raised the flag at 7 a.m. We kicked off a day of Veterans Day ceremonies all around Wyoming. Last week, I visited with veterans all around the State. I will share with you the things that I hear all across Wyoming.

What I continue to hear is that since Joe Biden took office, our Nation has become weaker—weaker—and the



world has become more dangerous and our Nation is now less safe.

In August, Joe Biden oversaw the tragic and failed withdrawal from Afghanistan. Because of the President's weakness, incompetence, and mismanagement, the Taliban took over Afghanistan in just a matter of weeks. Just before the withdrawal, terrorists killed 13 of our troops. It was the deadliest day for our military in a decade.

One of those fallen heroes was Rylee McCollum of Wyoming. All of Wyoming felt the terrible loss of this 20-year-old marine. He was a statewide high school wrestling champ.

On August 30, the Biden administration left hundreds of Americans behind enemy lines, in spite of the fact that the President said he wouldn't leave anyone behind. The administration has admitted to the Armed Services Committee that more than 400 Americans are still behind enemy lines.

Joe Biden's Afghanistan surrender was a national disgrace. The consequences are being felt all around the world. Our friends are furious. Our enemies are emboldened.

Last month, we saw a hypersonic missile being tested. We see that an emboldened Vladimir Putin now has stationed 100,000 troops near the border with Ukraine. Vladimir Putin continues to speak of Ukraine as if it is part of Russia.

North Korea showed last month that they can launch ballistic missiles from submarines.

Iran will soon have much, much more cash than they did when President Biden took office. You say: How could that be? Well, one reason for the influx of cash is the rising price of oil and a weak enforcement of the sanctions that we have against Iran. It is easier for them to sell and more profitable to do so. The Biden administration is trying to negotiate with Iran from a position of weakness.

Yet the most alarming developments are the strides being made right now in China. Since Afghanistan fell, China has aggressively flown dozens of military planes over Taiwan's air defense zones. The Pentagon admitted recently that China now has the largest navy in the world. China plans to build more than 100 new ships over the next 8 years. China is also building about 300 missile silos and plans to have 1,000 nuclear missiles in the next 8 years. China recently tested a hypersonic weapon capable of use around the world.

These are pressing challenges, challenges like we haven't seen since the Cold War. This administration has been caught flatfooted.

At the White House, utter incompetence. At the Pentagon, complete mismanagement. At the State Department, global weakness. No one has been fired. No one has been held accountable over the withdrawal from Afghanistan. No one has resigned. There has been no accountability.

It is astonishing, but the President must still believe in his statement

where he said it was "an extraordinary success." He may be the only one in America who believes that. Our enemies are getting stronger, and the Democrats are asleep at the switch.

The Pentagon Press Secretary was asked last week which is a bigger threat—which is a bigger threat—China or climate change? His response: "They are equally important." This is the Pentagon Press Secretary. This isn't somebody at the EPA. This is somebody responsible for the defense of this Nation. This is not just false; it is absurd for this to be the policy of this administration.

Defense Secretary Lloyd Austin is focused on fighting so-called dissident ideologies in our military. The Chairman of the Joint Chiefs of Staff testified in Congress that he supports servicemembers studying critical race theory.

Our enemies are not following that path. Oh, no, they are focused on winning wars. The Biden administration seems to be focused on liberal fantasies.

Well, I believe it is about to get a lot worse. That is because President Biden's vaccine mandate will likely cause the discharge of thousands of servicemembers. It is certainly a concern of mine with our National Guard in Wyoming, as it is with troops around the country and around the world representing and defending our Nation.

Recruitment was difficult already. Our troops are feeling the pain of inflation cutting into their paychecks, and now the President seems to be determined to decimate their ranks.

I fully support vaccination. I am a doctor. I am vaccinated; so is my family. I am pro-vaccine. I am anti-mandate.

At a time when our enemies are getting stronger, we don't need to drive the men and women who defend our Nation out of the military.

Now, the Senate has still not passed the National Defense Authorization Act. The Senate went Independence Day, Memorial Day, and Veterans Day with no action on the Defense bill. The majority leader now says the Senate will finally get around to it. Why did it take so long?

The Senate has been debating a reckless tax-and-spending blowout the American people did not ask for, do not want, cannot afford, as prices continue to grow and go up and up and up, when the cost of Thanksgiving dinner is going to be the most expensive in the history of our Nation.

And we are here in the Senate and the House. What are they doing? They are debating taxpayer dollars for illegal immigrants instead of taxpayer dollars for American heroes. We have been debating taxpayer dollars for what Democrats call tree equity. The New York Times even wrote about it today.

We ought to be debating national security. We should be talking about the

U.S. Army instead of Democrats who have been talking about an army of climate activists and an army of IRS agents.

We just honored veterans last Thursday. We will give thanks again for all of them next Thursday on Thanksgiving Day.

It is time, today, for the United States to do right and for the Senate to do right by all of them. I urge my colleagues to focus on a bipartisan National Defense Authorization Act, the Defense bill, for the defense of our Nation. It is time we prove to the Nation that we do support our troops and we do protect them against—and protect all of us against—rising threats and keep this great Nation safe.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SANDERS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. BALDWIN). Without objection, it is so ordered.

#### NATIONAL DEFENSE AUTHORIZATION ACT

Mr. SANDERS. Madam President, day after day here on the floor of the Senate and back in their States, many of my colleagues talk to the American people about how deeply concerned they are about the deficit and the national debt. They tell us that we just don't have enough money to expand Medicare, to cover dental care for seniors, to cover hearing aids, to cover eyeglasses. We just don't have enough money to do what every other major country on Earth does, and that is guarantee paid family and medical leave.

At a time when hundreds of thousands of bright young people are unable to afford a higher education and millions are struggling with student debt, my colleagues tell us that we just don't have enough money to provide 2 years of free tuition at community colleges.

When we have over 500,000 Americans sleeping out on the streets, including a few blocks away from the Nation's Capitol, we just don't have enough money to build the low-income and affordable housing this country needs.

At a time when the scientists are telling us that we face an existential threat in terms of climate change, we are told that we just don't have enough money to transform our energy system away from fossil fuel and create a planet that will be healthy and habitable for our kids and future generations. Just don't have enough money.

Yet, today, the U.S. Senate will begin consideration of an annual defense budget that costs \$778 billion—\$778 billion for one year. That is \$37 billion more than President Trump's last defense budget and \$25 billion more than what President Biden requested.

By the way, all of this money is going to an Agency, the Department of

Defense, that continues to have massive cost overruns year after year, wasting enormous amounts of money, and is the only major governmental Agency in the Federal Government not to successfully complete an independent audit.

Now, isn't it remarkable how, even as we end the longest war in our Nation's history, the war in Afghanistan, concerns about the deficit and the national debt seem to melt away under the influence of the military-industrial complex. People sleeping out on the street, people dying because they don't have any healthcare, kids unable to get the early childhood education they need—not a problem. Can't afford to pay for those things, but somehow, when it comes to the defense budget and the needs of the military-industrial complex, we just cannot give them enough money.

But that is not all, and I want the American people to know this, as I suspect many don't.

It is very likely that in the Defense bill or attached to the Defense bill, there will be a so-called competition bill, and this bill is a \$250 billion bill that includes \$52 billion in straight corporate welfare, with no strings attached, for a handful of extremely profitable microchip companies.

Now, is there a problem in that our country is not producing the kinds of microchips and the number of microchips that we should? The answer is yes. It is an issue we have to deal with, but we can deal with it in a way other than simply handing money to a handful of enormously profitable corporations with no protection for the taxpayers at all.

By the way, I should also mention that as part of the so-called competition bill, there is also a \$10 billion handout to Jeff Bezos, one of the wealthiest people in our country, for space exploration.

Combining these two pieces of legislation would push the pricetag of the Defense bill to over \$1 trillion for 1 year. I want people to remember that because when we talk about Build Back Better, we are talking about a 10-year bill. This is 1 year.

Meanwhile, while there is limited discussion about the Defense bill or corporate welfare in the competition bill, Congress has spent month after month discussing the Build Back Better Act, which on an annual basis costs far less than the Pentagon budget, and discussing whether or not we can afford to protect the working families of our country whose needs have been ignored decade after decade, who in many cases are living paycheck to paycheck, can't afford housing, can't afford prescription drugs, and can't afford to send their kids to college. We can't address their needs—no, no, no—because we are too busy worrying about throwing money at the Pentagon and large, profitable corporations.

If there was ever a moment in modern American history when we need to

fundamentally review our national priorities, now is that moment. Whether it is transforming our energy system away from fossil fuels; whether it is guaranteeing paid family and medical leave; whether it is providing healthcare to all of our people as a human right, as virtually every other major country does; whether it is taking on the greed of the pharmaceutical industry, which charges us by far the highest prices in the world for prescription drugs; whether it is addressing our crisis of affordable housing or providing childcare and pre-K to the little kids, now is the time to reassess our priorities. Now is the time to fight for real change.

But instead of addressing these major issues that impact the lives of working families all across this country and that the working class of this country desperately wants, Congress comes together, Democrats and Republicans, with minimal debate, to support an exploding Pentagon budget, which is now higher than the next 13 nations combined and represents more than half of our discretionary spending.

After adjusting for inflation, we are now spending more on the military than we did during the height of the Cold War or during the wars in Vietnam or Korea. And I would like to reiterate, this is after the war in Afghanistan has ended. That is why I have introduced an amendment with Senator MARKEY to reduce the military budget by \$25 billion, down to what President Biden requested.

Let's be clear. This is not a radical idea. It is the military spending proposed by the President of the United States and the amount requested by the Department of Defense. I look forward to support on that amendment, especially from the deficit hawks, who I know are very, very concerned about the deficit.

I should also point out that this extraordinarily high level of military spending comes at a time when the Department of Defense is the only Agency of our Federal Government that has not been able to pass an independent audit and when defense contractors are making enormous profits while paying their CEOs exorbitant compensation packages.

Let's not forget that in this so-called competition bill, there will be a provision which provides \$53 billion in emergency appropriations for the microchip industry with no strings attached.

Let me repeat that. We are talking about more than \$53 billion in Federal funds, and by the way, I suspect there will be more taxpayer money coming to these corporations from State and local government with no strings attached.

Do we need to expand the microchip industry in this country so we can become less dependent on foreign countries? Yes. But we can accomplish that goal without throwing money at these companies with no protections for the taxpayers.

In total, my guess is that five—one, two, three, four, five—major semiconductor companies will likely receive the lion's share of this taxpayer handout. Those companies are Intel, Texas Instruments, Micron Technology, Analog Devices, and NVIDIA.

I should also point out that these five companies made nearly \$35 billion in profits last year combined and spent more than \$18 billion buying back their own stock.

I should also point out that these five corporations combined paid their CEOs a combined \$85 million in compensation last year.

Further, it is important to point out that this is an industry that received nearly \$6 billion in government subsidies and loans over the years, and it is an industry that has shut down over 780 manufacturing plants in the United States and eliminated 150,000 American jobs in the last 20 years—29 percent of its workforce—while moving most of its production overseas. In other words, over the years, in order to make more money, they decided to outsource their operations and, in the process, throw American workers out on the street.

So let's be clear what is happening here. In order to make more profits, these companies took good government money and then offshored good American jobs. Now, for that bad behavior, these same companies are being rewarded with some \$53 billion in no-strings corporate welfare to undo the damage that they did.

That may make sense to somebody; not to me. That is why I have introduced Senate amendment No. 4722, which would prevent microchip companies from receiving taxpayer assistance unless they agree to issue warrants to the Federal Government. If private companies are going to benefit from over \$53 billion in taxpayer subsidies, the financial gains made by these companies must be shared with the American people, not just wealthy shareholders.

In other words, all this amendment says is that if these companies want taxpayer assistance, we are not going to socialize all of the risks and privatize all of the profits.

Let me be very clear. This is not a radical idea. These exact conditions were imposed on corporations that received taxpayer assistance in the bipartisan CARES Act, which passed the Senate 96 to nothing. In other words, every Member of the U.S. Senate has already voted for the conditions that are in my amendment.

CARES was not the first time that Congress passed warrants and equity stakes tied to government assistance. During the 2008 financial crisis, Congress required all companies taking TARP funds to issue warrants and equity stakes to the Federal Government.

The bottom line is that taxpayers should not just be handing out money to large, profitable corporations and well-paid CEOs. They deserve to benefit as well.



In addition to making sure that companies allow for warrants and equity stakes, this amendment would require that these companies cannot buy back their own stock, nor outsource American jobs, nor repeal existing collective bargaining agreements, and remain neutral in any union organizing efforts.

Here is something else—I think people think that I am kidding here, but I am not; this is really true—here is something else that is in the so-called competition bill that must be addressed. Unbelievably, this bill would provide and authorize some \$10 billion in taxpayer money to Jeff Bezos, the second wealthiest person in America, for his space race with Elon Musk, the wealthiest person in America. This is beyond laughable, and I will be introducing an amendment to strike this provision. Frankly, it is not acceptable. It is not an issue that we have discussed terribly much, but it is not acceptable that the two wealthiest people in this country, Mr. Musk and Mr. Bezos, take control of our space efforts to return to the Moon and maybe even the extraordinary accomplishment of getting to Mars. This is not something for two billionaires to be directing; this is something for the American people to be determining.

Let me just say a few words about why there is so much waste and fraud and abuse in the military. Again, I always find it amazing how, when it comes to programs directed at ordinary people, low-income people, all kinds of investigations and all kinds of language about how we have to protect the taxpayer from fraud, but when it comes to the massive amount of money that we put into the Pentagon, not a whole lot of attention paid to that.

One of the reasons that we have so many cost overruns and one of the reasons that we have so much fraud and so much abuse is that the Pentagon has been unable to pass an independent audit 30 years after Congress required it to do so—30 years.

I think one of the points that need to be remembered is that on September 10, 2001, 1 day before the terrible attack on our country, then-Secretary of Defense Donald Rumsfeld said, talking about the Pentagon:

Our financial systems are decades old. According to some estimates, we cannot track \$2.3 trillion in transactions. We cannot share information from floor to floor in this building—

The Pentagon—

because it's stored on dozens of technological systems that are inaccessible or incompatible.

Yet, 20 years after that statement—a rather profound statement by then-Secretary of Defense Donald Rumsfeld—the Pentagon has still not passed a clean audit despite the fact that the Pentagon controls assets in excess of \$3.1 trillion or roughly 78 percent of what the entire Federal Government owns.

Just this week, the Pentagon announced that it will fail its fourth con-

secutive financial audit in a row. That is why I have introduced an amendment with Senator GRASSLEY that would require the Pentagon to pass a clean audit this year. If it fails to do so, 1 percent of its budget would be returned to the Treasury each year until it obtains a clean audit operation. I think 30 years is maybe just enough time to make that demand.

I think that at this moment in American history, it is appropriate for the American people and for my colleagues here in the Senate to remember what former Republican President Dwight D. Eisenhower said in 1953 when he was President.

As we all recall, Dwight D. Eisenhower was a four-star general, not a politician, who led the Allied Forces to victory in Europe during World War II. So this was no peacenik. This was a man who saw more death and more military battles than probably any human being should have to.

This is what Eisenhower said:

Every gun that is made, every warship launched, every rocket [fired], signifies in the final sense a theft from those who hunger and are not fed, those who are cold and are not clothed. This world in arms is not spending money alone. It is spending the sweat of its laborers, the genius of its scientists, the hopes of its children.

That was Dwight D. Eisenhower, and that is what he said 68 years ago. It was true then. It is even more true now.

If the horrific coronavirus pandemic has taught us anything—a pandemic which has cost us now almost 700,000 lives—it is that national security means more than just building bombs or missiles or jet fighters or tanks or submarines or nuclear warheads and other weapons of mass destruction. National security also means doing everything that we can to protect the lives of ordinary Americans, many of whom have been abandoned by their government for decades. These are people, right now, who are struggling to put food on the table, people who are now experiencing a lower life expectancy than was the case in the past, and these are people who, in many instances, when they get sick, can't even afford to go to a doctor.

When we analyze the Defense Department's budget, it is important to note that Congress has appropriated so much money to the Defense Department that the Pentagon literally does not know what to do with it. According to the GAO, over the course of 11 years, the Pentagon returned an astonishing \$128 billion in excess funds back to the Treasury.

And, over the past two decades, while we have funneled out money to the defense contractors, it is important to note that virtually every major defense contractor in the United States has been fined for misconduct and fraud, all while making huge profits. Since 1995, Boeing, Lockheed Martin, and United Technologies have paid over \$3 billion in fines or related settlements

for fraud or misconduct. Meanwhile, the CEOs of these large defense companies enjoy incredibly large compensation packages—in fact, on average, over 100 times more than does the Secretary of Defense.

I have also filed an amendment with Senator MARKEY and Representative RO KHANNA, in the House, to finally end all U.S. support for the Saudi war effort in Yemen. This amendment simply codifies the prohibition on support for the Saudi war, and it already passed both Houses of Congress, in 2019, in a bipartisan way. At that time and in 2019, various officials now in the Biden-Harris administration signed a letter supporting this measure. The House has already passed this amendment for the third consecutive year. It is long overdue for this provision to be included in the final Defense policy bill that is sent to the President's desk.

In addition to Yemen, I have longstanding concerns about the situation in Gaza. That is why I have introduced an amendment to request a series of reports on the humanitarian crisis in Gaza and on steps that the United States can take to ease that crisis and bring desperately needed humanitarian and reconstruction aid to the Palestinian people in Gaza.

I would also point out that, when I talk about healthcare, I talk about dental care, and I think most healthcare experts understand that dental care is part of healthcare. In my home State of Vermont, veterans who are eligible for dental care at the VA have no access to a VA dental facility. That is why I have introduced an amendment to the NDAA to require the Department of Veterans Affairs to maintain a dental clinic in every State of this country so that all veterans have access to the dental care that they need.

I believe in a strong military, but I do not believe that we can keep throwing more money into the Pentagon than it needs at a time when working families all across this country are struggling to put food on the table for their kids and when 140 million Americans can't afford the basic necessities of life without going into debt.

In 1967, Dr. Martin Luther King, Jr., warned us that “a nation that continues year after year to spend more money on military defense than on programs of social uplift is approaching spiritual death.”

Dr. King was right. That was true in 1967. It is true today.

Let me just conclude with another quote from one of the great Republican Presidents in American history, and he is Dwight D. Eisenhower. This is what he said as he was leaving office back in 1961.

He said:

In the councils of government, we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military industrial complex. The potential for the disastrous rise of misplaced power exists and will persist.

That was Dwight Eisenhower, and what he was talking about was the incredible power then of the military-industrial complex—of the revolving door, where people go from the military into defense companies. It was true then; it is truer now; and that truth is manifested in the fact that we have a bill which is now spending \$25 billion more than the President of the United States requested.

I yield the floor.

The PRESIDING OFFICER. The junior Senator from Florida.

UNANIMOUS CONSENT REQUEST—S. 3224

Mr. SCOTT of Florida. Madam President, as empty shelves grow more and more common, prices are surging higher, and small businesses can't access the goods they need to serve their customers. Joe Biden's supply chain and inflation crises are devastating for so many Americans, but it is our poorest families—those on low and fixed incomes, like mine growing up—who are hurt the most.

Just last week, we saw the new CPI inflation data come out. Rates are the highest they have been in more than 30 years. Every month, when I see Biden's new inflation numbers come out—and they are always worse than the month before—I think about my mom. Growing up, I watched my mom struggle every day just to put food on the table and make ends meet for our family. Now countless families across America are dealing with that same struggle today all because of Joe Biden's reckless, socialist policies, like his unconstitutional vaccine mandates. These policies are fueling inflation and the current supply chain crisis, but Biden and his administration do absolutely nothing to fix it.

Throughout my years in business and 8 years as the Governor of Florida, I learned that, when you are trying to solve a problem, the best place to start is by bringing people together. When hurricanes devastated Florida, and we had to deal with restoring power and communication services and getting resources where they were needed most, we brought people together and got to work to solve problems, but you don't see any of that with this administration.

Just look at inflation. I have been talking about inflation nonstop all year, and it is getting worse and worse and worse. Biden has totally ignored it. His administration has attacked people like Larry Summers and me. Larry Summers is a Clinton-Obama appointee who warned early on that reckless spending was going to fuel a massive inflation crisis.

Now we are seeing the same thing with Biden's supply chain crisis. I have called on Commerce Secretary Raimondo and Transportation Secretary Buttigieg to come before the Commerce Committee and testify about what they are doing to resolve this problem. They haven't shown up. We haven't had a single hearing on this crisis in the Commerce Committee. I

have seen them on TV dismiss the severity of the problem. I was surprised to see that Secretary Buttigieg had time to attend a bill signing but still hasn't been to California to get working on the massive supply chain issues that are stranding dozens of ships off the California coast.

Unlike the Biden administration, I am not going to sit around and play TV commentator. Families in Florida expect and deserve more than that. That is why I was proud to partner with my friend and colleague Congressman CARLOS GIMENEZ to introduce the Supply Chain Emergency Response Act to get products flowing to American families and businesses again. Our legislation is simple and common sense. Congress passed the CARES Act to help our economy survive the effects of COVID and the economic lockdowns. We know that much of that money remains unspent and that it could be used for far more important purposes.

We also know that there are dozens of ships waiting to dock and be unloaded at California ports right now. Our bill would redirect \$125 million of unspent, unobligated CARES Act funds to help pay for the costs of moving cargo ships, which are waiting to dock on the west coast, through the Panama Canal, so they can dock along the east coast, including in States like Florida. I am going to be clear. This bill does nothing to mandate that ships be redirected to the east coast. It simply provides an option and the funding to offset some of the costs. The bill would also allow Governors to use their unspent and unobligated CARES Act funds to offset port fees and other related State-level expenses. It is the pretty simple idea of using the money meant to help with the economic recovery to actually help with the economic recovery.

Just last week, at the Port of Palm Beach, I had a meeting with port and business leaders who are seeing the delays and effects firsthand. Their businesses are hurting and are left waiting for weeks and months for the resources they need to run their businesses and serve their customers. We need a solution, and Florida's ports are ready and able to help with this crisis, and with the holidays getting closer and closer, we can't waste any more time.

Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3224, which is at the desk. Further, I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The junior Senator from Washington. Ms. CANTWELL. Madam President, reserving the right to object, I know my colleague—well, I assume my colleague is sincere about his interest in doing something about our issues of

port congestion and supply chain issues, but I disagree with his approach here today.

I have, personally, worked very hard on increasing the amount of investment in port infrastructure that was in the bill—just signed by the President on Monday—that helps to increase port capacity around the United States. Why? Because we have seen, even in a pandemic, an increase in trade and port activities. So, yes, we have to invest in our infrastructure.

I take disagreement with my colleague's characterization that the President hasn't done anything because the President has helped at L.A.-Long Beach in reducing the congestion, and he has put in place a better COVID response process. My colleagues need to understand that longshoremen died in the COVID pandemic while delivering goods and products to us in the United States of America. They died. So getting a better response in vaccination for people working on our docks is incredibly important. So the President has done something. He has got a better COVID response; he has basically helped at reducing congestion; and he has got a plan to invest in our ports all over the United States of America.

I know my colleague wishes that it would be so simple, but these shipping companies are reporting more than \$200 billion in profit—\$200 billion in profit even during the pandemic. So they are not lacking for money. And, if they wanted to go to those ports, they would go to those ports. We heard from one of the big shipping associations that going anywhere, just to say that you want to go there when there are logistical and cost reasons that don't likely bear out, eventually, the customer really just wants to go where the customer wants to go.

That is why it is so important to invest in our ports. That is why we led the charge for a \$2.25 billion investment. Why? Because 95 percent of consumers live outside of the United States. And if we want to be involved in the trade economy, we should invest in our infrastructure to get product to and from our citizens, to other citizens of the world, the 95 percent who live outside of the United States.

So I don't think giving shippers—who are having a recordbreaking profit year—more money is going to make them go to other ports. So I do hope that we continue to look at ways to catch up from the fact that production in many areas of our economy were off. There is no bigger example than the 8-percent reduction in oil from OPEC in 2020.

Talk about something we need to address, my colleagues and I sent a letter to President Trump about high oil prices in 2018, and we recommended these various things that the President should do: leverage a relationship with the Saudi Crown Prince to urge them to increase capacity in world oil supplies, make sure the energy Secretary

is communicating that with Vienna and OPEC nations, initiate world-trade disputes regarding countries' anti-competitive practices, work with our European allies and China and make sure that they are working on this issue. We just had a hearing this morning asking the FTC, if they do see any kind of manipulation or moving of supply, please investigate it; and, in this case, we said, Abandon the Trump administration's rollback of fuel economy standards.

Because guess what Americans want when there are high oil prices? They want fuel-efficient cars.

That also is what we just legislated, and that is why we need to keep working on this issue, because as long as we are in a world oil market, and as long as we are under these pressures of OPEC, we are never going to win the day. The best way to win the day is to get an economy that is less dependent on those prices being impacted by OPEC.

Now, I may shock some people here this afternoon, but I am for getting rid of the Trump 301 tariffs. These have cost us enormously in the Pacific Northwest—higher seafood costs, higher equipment costs, higher cost on agriculture products, higher costs on aerospace.

So we have had the two dilemmas of a COVID pandemic taking a workforce out of production, literally. I don't know if my colleague supported the aid to the airline industry or not, but basically COVID hit, it ended up costing over 15,000 jobs in the aerospace sector in my State—gone, gone, gone. So not here today.

If you imagine, if that happened with the airline production—why? Because what airline was going to buy a new plane? It wasn't going to happen.

People are saying now they don't think it is going to happen until 2023 or 2024, even though there are some announcements happening now. In general, people don't think that the airline sector is going to recover to where it was before for several years.

So just imagine if every other sector did the same thing, that reduced their workforce in response to COVID, and now we are seeing the impacts of that.

So what do we do? Let's be smart about each of these cost areas and figure out what we can do to reduce those costs.

Giving \$125 million to basically the shipping companies of the world that basically have made record profits—one company said that was the biggest profit last year that they have made in 117 years. OK. So they don't need more money to just go from LA, Long Beach to Miami.

But I want the Senator of Florida to know I actually believe in his port economy. I don't know what is going to happen to the port economies of the world. I don't know if we are going to switch dynamics.

We have supported freight investment because freight can't wait. If you

don't have good freight movement, you are going to lose to some other country. So we supported that.

In fact, I see my colleague from Maryland here. The director for the Port of Baltimore came and became the director of the Port of Seattle. And I said: Do you think if we invest in freight, moving freight, somehow we might lose to the west coast and other places?

He said: The business is just going to continue to grow, and everybody will lose if we don't increase more efficiencies.

That is the objective: increase more efficiencies at every port.

I know the Presiding Officer from the Great Lakes wants to do the same thing, increase the capacity and efficiency of the Great Lakes. Let's get an icebreaker. Let's invest in port infrastructure. We led the charge. Why? Because I know that the Presiding Officer today knows that the competitiveness of your State in Wisconsin depends on manufacturers getting those products made and outside your State and on to a world market.

That is what is going to help us with our economy and reducing price, is to get production up and to get product moving efficiently.

So if my colleague—and I sincerely offer this—wants to help me, because I guarantee you not everybody on my side is going to call for this, but I am definitely calling for a repeal of the 301 Trump tariffs. I didn't approve them when he did it the first time because these kind of punitive tariffs just basically exacerbated the problem with retaliatory tariffs, and those retaliatory tariffs are costing us right now.

I know that Secretary Yellen is looking at this, I know that USTR is looking at this, and I would just encourage the President to look at this. And I would encourage the President to do everything he can to work with our nation countries to put pressure on OPEC, just as we did before, to try to address this issue on price. But let's work not on reducing the cost to shipping companies that don't need anything because they have seen record profits; let us instead invest in our ports and our ports economy.

So, Madam President, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Florida.

Mr. SCOTT of Florida. Madam President, I appreciate my colleague, and I am proud to serve on the Senate Committee on Commerce, Science, and Transportation with her.

Just remember, what we are talking about here is a supply chain problem, and let's not ignore a very important fact. That committee has not held a single hearing on this crisis.

I have been calling for Secretary Buttigieg and Secretary Raimondo to testify in the Commerce Committee on Biden's supply chain crisis for weeks and haven't seen one bit of action taken to make that happen. I don't

think we can wait any longer. American families can't wait any longer.

Biden's supply chain crisis is hurting American families everywhere right now. The President's failed policies and unconstitutional vaccine mandates are stifling business growth, crippling our supply chain, and fueling his—inflation crisis. Restoring our supply chains is critical to getting the American economy rolling again and something President Biden doesn't seem to understand, but we need solutions.

I actually feel sorry that my Democratic colleagues have to cover for the President's failures instead of actually helping the American people. Passing this bill today would have given us the opportunity to provide some needed relief in the supply chain and help lower costs for American families who are worried about whether they will be able to afford Thanksgiving dinner and Hanukkah gifts and holiday gifts.

We need solutions now, and today's inaction is a perfect example why the American people don't trust Washington to get anything done.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

NOMINATION OF DILAWAR SYED

Mr. CARDIN. Madam President, earlier this afternoon, I convened a meeting of the Small Business and Entrepreneurship Committee as its chairman. We had noted an agenda to act on the nomination of Dilawar Syed to be the Deputy Administrator of the Small Business Administration.

This was not our first attempt, and I am going to outline all the efforts that we have made to get a vote on Mr. Syed. But to my disappointment, the Democrats were there ready to vote on the nomination.

We also had two important pieces of legislation that we were scheduled to vote on, and every Republican refused to show up, denying us a quorum to be able to conduct business.

Let me share with my colleagues the state of play on this individual and on this nomination. President Biden nominated Dilawar Syed to be the Deputy Administrator of the Small Business Administration on March 3. He is a well-qualified entrepreneur and a small business advocate.

After reviewing his paperwork and ethics agreement, the committee held a hearing on Mr. Syed's nomination on April 21. Now, during that hearing, Ranking Member PAUL raised serious concerns about PPP and Economic Injury Disaster Loan—EIDL—received by Lumiata, a tech company from which Mr. Syed serves as the CEO. After weeks of negotiations, I brokered a compromise between Ranking Member PAUL and the SBA that provided access to the company's loan applications.

On June 8, I personally sat down with Ranking Member PAUL and a representative of the Small Business Administration outside the Senate Chamber to review those documents and ensure that the loans were properly attained, which they clearly were. The

following day, the documents were made available to all of the committee members on the Small Business Committee.

Now, what that record showed is that those loans were taken out in regular order, that they were entitled to the PPP loan and the EIDL. But it also showed something that was quite remarkable. Mr. Syed returned the PPP loan without forgiveness. He was entitled to forgiveness, but, as he said, he was able to get access to additional capital and didn't need the government help and thought it was the right thing to return the loan without forgiveness. What exemplary action.

Satisfied that we had resolved the issue, Senator PAUL agreed to my request that the committee schedule a vote to report out the nominee on June 16. After achieving a quorum of Senators, I moved to report the nomination by voice vote, as requested—a common practice in the Senate. A few Republican members asked to be recorded as voting no, which is also a common practice in the Senate.

However, we were later informed by the Senate Parliamentarian that the nomination could not be reported to the full Senate because a Republican staff member raised an objection that there had not been a rollcall vote in our committee.

A new objection was then raised based on Mr. Syed's involvement in Emgage, a nonprofit organization that supports the Muslim-American community. One Republican office even circulated an email that focused on Mr. Syed's Muslim religion and place of birth.

Two weeks after the meeting, on June 30, I received a letter from eight Republican members suggesting that Mr. Syed's involvement in Emgage was evidence of an Israel bias and support for Boycott, Divestment, and Sanction movement—the BDS movement. This is 2 weeks after we have already had our first committee vote.

Mr. Syed had a relationship with this company, and this company had no record of this type of bias. Mr. Syed responded to these concerns in a letter that he stated he is “a proud first-generation Muslim-American but also pro-Israel.”

He clearly stated that he does not support the BDS movement and believes “Israel to be a major partner in supporting the growth of America's innovative small businesses.”

Several Jewish organizations have come to Mr. Syed's defense. For example, the American Jewish Committee wrote:

The unsupported accusation that somehow Jewish businesses are those with ties to Israel may not fare as well under Mr. Syed's leadership in the Small Business Administration . . . has no factual grounding. Indeed, he has specifically disavowed support for the . . . (BDS) movement. . . . AJC rejects the charge that simply an affiliation with Emgage would reflect negatively on an individual, organization, or agency.

And AJC went even further and called the Republican accusations against Mr. Syed “un-American.”

On Thursday, July 15, the committee again attempted to hold a business meeting to report out the nomination.

We thought we had resolved all the issues. We resolved the issues concerning the loans. Everybody agreed they were proper. There was no concern about Mr. Syed's views in regards to Israel. That had been resolved.

So, Mr. President, I was puzzled that, on the July 15 meeting, all 10 Republican members boycotted the meeting and a reporting quorum was not achieved. We couldn't take action. I couldn't understand why because we had resolved the two issues—the first issue, and then it changed to a second issue.

But it was not until a week later that committee Republicans changed course again and developed a new line of attack, this time linking the nomination to PPP loans received by entities of Planned Parenthood.

On July 22, all 10 committee Republicans released the following statement:

The SBA has wrongfully approved nearly \$100 million in taxpayer-funded Paycheck Protection Program loans to Planned Parenthood branches across the country. On June 30th alone, SBA approved four PPP loans to Planned Parenthood affiliates despite a determination from the last Administration that these entities were ineligible for the program. We will not allow a vote on this nominee until the SBA takes action to recover the wrongfully acquired PPP funds by Planned Parenthood entities.

Mr. President, I am going to go through in detail as to how these loans were not improperly given and that the ground rules we set up were followed by Planned Parenthood and other nonprofits of similar type of organization.

Where they came up with this line is still somewhat of a puzzle to me since my Republican colleagues were engaged with us in developing the PPP program and the eligibilities for the PPP program.

Since that date, I have tried several times to hold business meetings to report out the nomination, but Republicans would not attend markups that I attempted to hold on September 21, November 4, and again today. On September 29, I attempted to discharge Mr. Syed's nomination from the committee by unanimous consent—that is after our voice vote that had already approved his nomination—but Ranking Member PAUL objected to my request on the Senate floor.

The Planned Parenthood issue pre-dates the Syed nomination and even the Biden administration. It goes back to March of 2020 when this committee took the lead—the Small Business Committee took the lead in drafting the bipartisan CARES Act.

I was proud to be part of a team that includes Senator SHAHEEN, Senator RUBIO, and Senator COLLINS. We sat down and went line by line drafting the PPP legislation that we are talking

about. We negotiated back and forth in good faith on the provisions of this bill. It was truly a bipartisan effort.

Republicans controlled the Senate. We worked with the Republicans, and we came up with a bipartisan bill to help America's small businesses. That legislation made 501(c)(3)s—nonprofits—and veteran nonprofit organizations with up to 500 employees eligible for the PPP loans. This was a mutual decision. We knew it had some controversy associated with it. There are faith-based groups that people have some concern about getting government support. There are different organizations that people might have a concern. But we felt that during this pandemic, it was important to preserve our small business entities, whether they were for-profit or nonprofit, and that was a bipartisan decision that was made by Democrats and Republicans.

During the negotiations of March 2020, then-Chairman RUBIO added language to an early draft that would have prohibited nonprofit entities that receive Medicaid assistance from getting PPP loans. This was presumably an effort to deny Planned Parenthood the opportunity to participate in the program. But because of the way it was drafted, it also affected a lot of nonprofits. It affected programs such as domestic abuse centers or homes for the disabled. It was soundly rejected in our group as not being a workable restriction, that we could not support that type of prohibition.

So we negotiated back and forth, and we could not resolve the issue. Eventually this issue, along with other issues that we couldn't resolve, was taken up to the joint leadership of the Senate Republicans and Democrats who were trying to resolve issues that we couldn't resolve in our committee deliberations. It was at that level that a compromise was reached to add language that applied the SBA affiliation rules to nonprofits—not the Medicaid language but the affiliate rules. We had no objection to that. We felt that nonprofits should be subject to the same restrictions as for-profit entities as far as whether they were truly independent or part of just a national group, whether there was control on the affiliate. So we thought that made sense.

In April of 2020, the SBA, under the Trump administration, released guidance on applying the affiliation standards to nonprofits, which is where we are getting to the determinations made by Planned Parenthood.

The part of the affiliation that applies to nonprofits relates to common management. I am going to quote for the RECORD. I have the full statement here of what the affiliate rules were, but let me just read into the RECORD the relevant section that applies to the controversies—I don't think it is controversies—the Republican controversy on Planned Parenthood.

Affiliation arises where the CEO or President of the applicant concern (or other officers, managing members, or partners who

control the management of the concern) also controls the management of one or more other concerns. Affiliation also arises where a single individual, concern, or entity that controls the Board of Directors or management of one concern also controls the Board of Directors or management of one [or] more other concerns. Affiliation also arises where a single individual, concern or entity controls the management of the applicant concern through a management agreement.

Now, the question is, Does the national group control the personnel and board of the affiliate? That is how the rules apply.

Planned Parenthood of America determined its entities were eligible because it does not exercise control over its member organizations and does not have a common management. Each member organization is its own independent, not-for-profit, tax-exempt organization with its own independent board of directors that is solely responsible for the hiring and retention of its CEO. Planned Parenthood of America does not have the power to remove CEOs or directors from its individual member organizations.

Now, Mr. President, this type of federated structure is common in the non-profit world, and it is the reason why nonprofits such as the YMCA and Boys & Girls Clubs also qualified and received PPP loans, forgivable loans. We recognize that they have a large national structure, but the individual entities are small entities and are independently managed and controlled.

In May of 2020, under the Trump administration, 38 Planned Parenthood entities received correspondence from Associate Administrator Bill Manger with a preliminary finding that the entities may not be in compliance with the affiliation rules.

To my knowledge, Mr. Manger only sent letters to Planned Parenthood entities, not to any of the other similarly structured entities. Now, I say that because we now have learned that there was a list—a hold list of a much larger number of entities that there was a concern as to whether they qualified under the affiliation rules, but only Planned Parenthood received the May 2020 letter, not the other groups that had a similar structure.

The letter that was sent out is titled “Notice of Investigation and Request for Records.” This was sent out in May 2020 to 38 Planned Parenthood entities. The Planned Parenthood entities responded to these letters. They contested the finding. Every Planned Parenthood company that received correspondence in May of 2020 contested its findings. The letter is pretty detailed in what it spells out. It spells out all the reasons why they comply with the affiliation rules, and it talks all about it, about all the different reasons why they were qualified to receive their funds.

Mr. President, it ends with this line. This is how Planned Parenthood responded to the May 2020 letter:

I trust that this response resolves the matter.

May 2020.

Nine months later, under the Trump administration, no additional action that we are aware of was taken by the SBA to contest Planned Parenthood’s eligibility for the PPP money, so it was clear that the Trump administration decided not to take action.

So where are we now?

It is also important to note that PPP loans were not used by Planned Parenthood to provide any health services. We are not talking about providing health services here. The law is very specific as to what the funds can be used for: payroll costs, healthcare benefits for the employees, paid leave for the employees, allowance for dismissal or separation, interest on mortgage expenses, rent and utilities, interest on debt prior to February 15, 2020.

I was somewhat puzzled by all of this, but in an attempt to broker another compromise, after dealing with whether the PPP loans and the business entity were proper, whether there was any semblance of concern about his attitude in regards to Israel—having satisfied that, I made another effort to try to deal with Senator PAUL and the members of the committee to see what they wanted.

Mr. Syed had nothing to do with these loans. Mr. Syed is fully qualified. The SBA needs a Deputy Administrator confirmed to deal with all of the programs that we have passed in the last 2 years to help small businesses. They need a confirmed manager to work between us and our constituents and make sure these programs are working effectively.

So what else could I provide? Yesterday, I invited all of the Republican members to come to my office—or come to the small business office and we would make available all of the information SBA has in regards to these Planned Parenthood loans. They will make it available—all the loans that were given out, when they were given out, what was forgiven, what was not forgiven, second-round PPP loans, all of it. I don’t know what else we can do. Not one showed up to review the information.

I can appreciate the fact that this issue may make Republicans who oppose Planned Parenthood politically uncomfortable. I can understand that. But Democrats also disagree with views of many organizations that received PPP loans.

Last December, the Washington Post reported that 14 organizations designated as hate groups by the Southern Poverty Law Center or the Anti-Defamation League received PPP loans. These are legal entities that qualified for the program because we can’t draft it based upon the mission of a particular organization; we have to draft it in a way that those that are legitimate businesses and operations can qualify for the loans. And we did that. We don’t judge who we are giving the money to, whether we like what they are doing or not. That is not what this is about.

As I said in the committee a little earlier today, it is important for the Small Business Committee to get back to its bipartisan tradition.

I hope that my Republican colleagues will accept the information that we have made available, work with us, and let’s get Mr. Syed confirmed. Let’s get him confirmed because he is the right person for this position at this time. The SBA desperately needs a confirmed Deputy Administrator, with all the work that we put on them, and all the help. Our small business community needs to have an accountable, confirmed Deputy Administrator so that they have an accountable person who can work with us to make sure our programs are not only administered properly but we get the information to modify these programs to make them work moving forward. We are already in the process of considering additional legislation. It is so important to have a confirmed Deputy Administrator of Mr. Syed’s experience in order to help us with that.

I must tell you, Administrator Guzman is doing a fantastic job. She is one person. She needs a Deputy. It is time that we get this person confirmed. There has not been an articulated reason why this person should not be confirmed.

Mr. President, I know we have had this debate on nominations that are here on the floor. We are wondering why people vote against them. I can’t even get a vote in our committee on this because the Republicans won’t show up for a vote.

I think, in respect for the system, it is important that the Small Business Committee have an opportunity to vote on Mr. Syed’s nomination, which I hope then would be on the floor promptly for confirmation.

I see that Senator LEE seems to be on the floor.

I yield the floor.

The PRESIDING OFFICER (Mr. KAINE). The Senator from Utah.

UNANIMOUS CONSENT REQUEST—S. 3225

Mr. LEE. Mr. President, yesterday, I came to the Senate floor and spoke on President Biden’s vaccine mandate. I explained that I have now come to this Chamber a total of 16 times and offered 12 different bills that would counteract, limit, or, in one way or another, restrain the vaccine mandate. I also explained that, unfortunately, each of these bills has been rejected by Democrats in the Senate.

I have spoken to Utahns and folks from across country who have expressed to me their frustration at moving goalposts and changing expectations in the middle of the pandemic. President Biden’s vaccine mandate, which has been halted now by the U.S. Court of Appeals for the Fifth Circuit, happens to be among the latest attempts to force Americans to make health decisions under the threat not just of unemployment but also under the threat of becoming unemployable.

That is a taxing burden for anyone to bear. Anyone who has kids at home or

if they don't have kids at home, if they are just supporting themselves, these days all Americans are helping someone or something that they love, that they care about, and they ought to have the opportunity do that. They ought not have their ability to make a living threatened by virtue of a distinct religious belief or a particular medical concern or a particular desire not to receive a particular treatment.

I will reiterate here what I have said before. I have been vaccinated. My family has been vaccinated. I believe that the vaccines are helping countless Americans be protected against the dangers of the COVID-19 virus.

Just the same, there is a big difference between believing the vaccine does good and receiving the vaccine, on the one hand, and, on the other hand, saying that anyone who disagrees or who thinks that it is not right for them, for one reason or another, ought to be fired from their job and rendered unemployable as a result. That is very, very different. That is something that very few Americans would agree is right.

In fact, according to a recent Axios poll, only 14 percent of Americans believe that someone who decides not to get the vaccine should be fired as a result of that decision.

Now, in some lines of work, this sort of thing is already coming into play. For example, our military servicemembers and frontline workers who sacrificed so much to care for and protect the American people during the pandemic are already being forced out of work. I have heard from many members of our Armed Services from Utah who are being discharged under less-than-honorable conditions and under conditions that are in no way, shape, or form appropriate in light of their many, many years of faithful, honorable service to this country. They are losing their jobs—and not just their jobs but also their benefits, their dignity, their ability to serve further. You know, I have introduced and offered up a bill that would help them, but Democrats objected to that.

On November 4 of this year, a couple of weeks ago, the Centers for Medicare and Medicaid Services—known as CMS—imposed a requirement that all healthcare workers at facilities participating in Medicare and Medicaid be vaccinated by January 4. This requirement, if it takes effect, will affect millions of Americans in tens of thousands of care centers across the Nation. And unlike the mandate imposed by OSHA, which has now mercifully been stayed, at least for the pendency of the litigation pending in the U.S. Court of Appeals for the Fifth Circuit, this mandate—this particular mandate—gives no option for testing if someone has religious, moral, or medical objections to the vaccine.

Now, let's just think about this on an individual level. There are nurses in this country who worked faithfully and tirelessly throughout the pandemic,

without regard to their own circumstances, in some cases without regard to their own health, their own sanity, putting their lives at risk at times. They have gone to work caring for others, and they have saved lives in the process. They accepted the risk, and they were rightfully heralded as heroes for doing that. They still are heroes, and they still should be heralded as heroes. But many of these same nurses caught COVID at work and have recovered. They are, in fact, heroes.

But now the Biden administration is giving them an extraordinary—and I would add extraordinarily cruel—ultimatum; one that I don't think I have ever seen in government; one that I didn't ever expect I would see in government. Those very same doctors and nurses and other healthcare workers—the same people we appropriately described as heroes—can either get a medical procedure they don't want or lose their current employment and any future realistic prospect of employment.

Let that sink in for a moment. What if this were you? What if this were your spouse or your child, someone you loved? What if this were your friend or your neighbor? The truth is, these people fit into all those categories. They are not our enemies. They are our friends, our neighbors, our family members, our loved ones. At a minimum, they are people who served valiantly throughout a pandemic, and they should not be punished; they should be thanked.

These heroes will be thanked for their service with a pink slip and a boot out the door as they become outcasts in the very profession that they have selflessly chosen and the very profession for which they have spent a lot of money and a lot of time receiving training and the very profession to which they dedicated their lives. What a tragedy. What a needless, senseless tragedy.

These are not abstract anecdotes. This isn't just hypotheticals, speculation. No, not at all. I have heard from hundreds of Utahns who risk losing their employment if these vaccine mandates take effect. They are everyday Americans. They are good Americans. They are valiant Americans. Oftentimes, they are struggling to make ends meet and to feed their families. They are our neighbors, our friends, our caretakers, our heroes. They deserve the respect that is necessarily implicit in the ability to make decisions for themselves, including these decisions for themselves.

Additionally, as a practical matter, it is extremely foolish to be pushing healthcare professionals out of their jobs at the precise moment when our healthcare system is under such incredible strain. Hospitals are understaffed as it is. I mean, a lot of places are understaffed. Hospitals are particularly understaffed even without this mandate. So requiring medical facilities to fire perfectly good doctors and

nurses and technicians is only going to further strain our system and place more Americans at risk of serious harm.

So today I am offering my 13th bill in the effort to curb the vaccine mandates. My Respecting Our Frontline Workers Act would simply prohibit any Federal Agency from requiring that staff and healthcare facilities be vaccinated against COVID-19 as a condition of that facility being able to participate in Medicare, Medicaid, and CHIP. But this bill would provide certainty to our Nation's healthcare heroes and honor the sacrifices that they have made to help Americans in need at a time when we were, as a country, facing great need. It will keep our healthcare system strong during what is still a really difficult time. This bill is the reasonable, compassionate answer to the current situation. I encourage my colleagues to support it.

To that end, Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3225, which is at the desk; I further ask that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Oregon.

Mr. WYDEN. Reserving the right to object. Mr. President and colleagues, sadly, this is the third time I have had to come to the Senate floor to object to Republican proposals dealing with far-fetched claims about vaccines.

And today I am struck by one issue in particular because my background is working with senior citizens. I was the director of the Gray Panthers at home for almost 7 years. I ran the legal aid office for the elderly. I went into public service because of my passion for the cause of the elderly and trying to protect their well-being and keeping them safe.

It is almost as if this unanimous consent request ignores the extraordinary human toll COVID-19 took on senior citizens in nursing homes across the country: nearly 200,000 dead in nursing homes and other long-term care facilities since the beginning of the pandemic—mothers and fathers, grandmothers and grandfathers. That is roughly 1 in 10 residents in those nursing facilities, according to an analysis of State and Federal data by the COVID tracking project.

How many of those senior citizens died alone, without being able to spend their final hours or days with their loved ones? How many others of those fortunate enough to survive the pandemic were still separated from their family members for months and months and months in 2020?

We also know that the risks to nurses and doctor and EMTs were massive as well. One major investigation found that more than 3,600 healthcare workers died of COVID in the first year of the pandemic—the worst pandemic in a



century that our country is still wrestling with as we speak. Nobody in this Chamber should forget that just over the last week, there have been more than 1,000 COVID deaths per day.

And in my view, it doesn't do any good to unnecessarily suppress access to highly effective vaccines while there is a deadly virus circulating and mutating around the country and around the world.

Seniors who live in nursing homes and long-term care facilities are safer when the people around them get vaccinated. And I just hope that our colleagues will recognize the importance of that basic proposition. When Americans are vaccinated, they and the people around them, based overwhelmingly on the factual evidence, are less likely to die of COVID-19. And everybody ought to be interested in stopping this virus with these overwhelmingly effective vaccines. It shouldn't take a requirement to get healthcare workers to protect themselves and their patients.

As I close, I think—and, again, I am sad to have to come to the floor and get into this issue, but because of my background working with senior citizens, I think it is bad for senior citizens, bad for the elderly to continue these frightening remarks about vaccines and vaccine policies. They prolonged the pandemic. They led to more infections and deaths.

With respect to the proposal that is before the Senate, I simply don't believe Senators should oppose policies that would keep America's elderly citizens safer after the pandemic has cost so many lives of America's senior citizens. Therefore, I object.

The PRESIDING OFFICER (Mr. LUJÁN). Objection is heard.

The Senator from Utah.

Mr. LEE. Mr. President, I appreciate the thoughtful remarks from my friend and colleague, the distinguished Senator from the State of Oregon.

The Senator from Oregon and I have spent a lot of time working on a number of issues together. He and I agree on a number of issues and have worked together to ensure the privacy of the American people and make sure that they are protected from an overreaching government, one that sometimes has intruded on them in violation of the spirit, if not also the letter, of the Fourth Amendment.

I remember when I first came to the Senate, the Senator from Oregon took me to lunch and we had a good chat. He introduced me to a lot of concepts in the Senate and has always been a good friend to me.

I feel the need to respond to some of these issues. Yes, I, too, like my friend and colleague, the distinguished Senator from Oregon, wish that we didn't have to come to the floor to discuss these things. I wish that it weren't necessary because I wish that we weren't even talking about firing people, about people losing their jobs, becoming unemployed and possibly unemployable

as a result of Federal policy that refuses to allow people to make decisions on their own.

Insofar as my friend, the Senator from Oregon, describes the policy of firing people who refuse to get the vaccine as necessary to protect the elderly, I would respectfully submit that quite the opposite is true. We are actually imperiling those who might need medical treatment the most, including the sick and the elderly.

Insofar as we destabilize our healthcare workforce—which, make no mistake, this maximum mandate does; it does that unquestionably—remember that the CMS mandate that we are talking about, unlike the OSHA mandate, doesn't give any option to allow for testing, for example, if someone has a religious or a moral or a medical objection to the mandate.

So what this really is going to do is it is going to take a lot of people out of the healthcare workforce and sideline them.

Yes, this is going to be devastating to those individuals. You are suddenly taking away their means of providing for their needs and those of their family. It would be absolutely devastating to them, as I mentioned a minute ago.

This is also a field in which they invested a lot of time and money—sweat, blood, and tears—to getting the education and professional certifications necessary to work in a field that has a lot of requirements attached to it, and with good reason. It is not good for anyone, least of all the elderly, to destabilize that same workforce.

Insofar as we are going to talk about what is better for the healthcare system, I just would respectfully reach the exact opposite conclusion of that proposed by my friend from Oregon. This isn't going to make things better. It is going to make things worse.

My friend from Oregon also described the approach that I am taking of protecting the individual healthcare worker's right to make an appropriate decision without government interference; described that and, as I understood it, my other efforts to try to curb the more egregious impacts of the vaccine mandates imposed by the Biden administration as somehow unnecessarily suppressing access to the vaccine.

I want to make very clear that just is not accurate. I would state that as not at all consistent with what I am doing. Not a single one of my proposals would suppress access to the vaccine.

Each time I have come to the floor and talked about these things, I have made very clear that I have been vaccinated. Every member of my family has been vaccinated. I have encouraged everyone I know to get the vaccine. The vaccine, really, is a medical miracle of sorts, and it is one that is protecting a lot of people.

Not everyone agrees with me. But the fact that they don't agree with me, the fact that they don't agree with President Biden or anyone else in government doesn't mean they should lose

their job for it. But it sure as heck doesn't mean that firing them because they won't get the vaccine and then opposing the effort to force their firing would somehow amount to an act of suppressing access to the vaccine.

That is a logical syllogism that just doesn't work. In no way, shape, or form would we be suppressing access to the vaccine if we liberated the American people from an overreaching executive who is insisting that people be fired if they don't agree with the President's officially sanctioned view on vaccines.

My friend also noted that people are safer when they get vaccinated. I believe this is generally true. I don't think it is going to encourage more people to get vaccinated by telling them that they are going to get fired if they don't.

Particularly with the subject matter we are covering today, where we are talking about the CMS end of the vaccine, these are people who work in healthcare. These are people who are highly educated in it, who have professional certifications, in many cases, graduate degrees in healthcare. They can make their own informed decision as to what to do. I tend to believe that people are generally safer when they get vaccinated, but that doesn't mean that firing them is the right thing to do.

Look, finally, my friend from Oregon—and I don't use that term loosely. He and I talk regularly. He was in my office earlier today, and we were talking about an upcoming game between the University of Utah and Oregon. When he refers to frightening remarks regarding the vaccine, I am not sure what he is referring to. I hope he is not referring to remarks debating the merits, or lack thereof, of vaccine mandates. Nothing about these remarks should strike anyone as frightening.

What I think would be frightening would be if tens, if not hundreds, of millions of Americans are threatened with getting fired based on their refusal to get the vaccine. I don't think we will ever reach a point where there are that many people who decide not to get vaccinated. It is certainly not going to be hundreds of millions of people declining to be vaccinated.

But whatever the number is, it still doesn't make it right for the President of the United States to just decide arbitrarily that they either have to follow his medical advice and that of his administration or get fired; to choose between getting an undesired medical procedure, or, on the other hand, losing their opportunity to put bread on the table for their children.

It is not constitutional. It is not within Congress's power. Congress hasn't exercised that power. It certainly hasn't given that power to the President of the United States.

Regardless of all those statutory and constitutional arguments, this is a fundamentally, morally flawed proposition that says everyone has to get

this; and if you disagree, you will get fired; we will render you unemployed and unemployable. This is wrong, and it is especially wrong to do to our healthcare workers.

Let's not do this. I urge my friend and colleague from Oregon to reconsider. We can do better than that. The American people expect more. They demand better, and we need to listen to them.

**THE PRESIDING OFFICER.** The Senator from New Hampshire.

#### NOMINATIONS

**Mrs. SHAHEEN.** Mr. President, I come to the floor today to discuss what are, sadly, the harmful impacts of ongoing partisan obstruction in the Senate.

Earlier today, at the Small Business Committee, our colleague, Senator CARDIN, who is chair of the Senate Committee on Small Business and Entrepreneurship, held a business meeting—I think about the fifth one—to try to advance the nomination of Mr. Dilawar Syed to be the Deputy Administrator of the Small Business Administration.

As we know, the Small Business Administration is a very important Agency under the best of circumstances. It does great work, but during this pandemic, for the past year, it has become absolutely indispensable as we tried to address the continuing economic impact of COVID on our small businesses.

In order for it to operate effectively, in order for us to hold the Agency accountable for administering the small business relief programs that Congress has designed to pass, we have an obligation to ensure that the Small Business Administration has a fully functioning and Senate-confirmed leadership team.

Unfortunately, as Senator CARDIN and others witnessed just a few hours ago, Republicans, again, on the Small Business Committee—all of the Republicans on the Small Business Committee—have orchestrated a complete blockade of Mr. Syed's nomination, preventing it from even coming to the floor of the Senate for debate and consideration.

And what is so confusing, Mr. President, is that there doesn't seem to be a reason to the Republicans' objections to Mr. Syed. It keeps changing. No one has raised any questions about Mr. Syed's competence or his experience or his suitability to serve as Deputy SBA Administrator.

In fact, several months ago, we tried to advance the nominee in our first effort in a business meeting by a voice vote, and several Republican Members of the Small Business Committee who are now participating in this obstruction voted yes at that time, including the ranking member.

Now it appears that this boycott is part of a pattern by just a handful of Members who simply want to stop any action that would allow the Biden administration to have a full complement of Senate-confirmed officials at crit-

ical Federal Agencies so they can then carry out their work as directed by Congress.

Unfortunately, I would also note that this partisan brinkmanship and obstruction doesn't end with domestic and economic matters. I want to point out, again, the dangerously slow confirmation process of our State Department nominees and ambassadors. Again, we have a few Republican Members of the Senate who are not just threatening our economic recovery and the health of our small businesses; they are threatening our national security by slowing the process to schedule nomination hearings for qualified nominees and by placing holds on their confirmation because of their own personal political issues.

I appreciate that some of those issues are very important. Nord Stream 2, I support, but holding these ambassadors, holding these State Department officials is not going to change what happens with Nord Stream 2. All it is going to do is make the United States less effective and less secure in the world.

Today, only 30 Ambassadors have been confirmed by the Senate. This administration had to wait over 200 days—200 days—for its first Ambassador to be confirmed, compared to only 62 days for the previous administration.

For the first 300 days of the previous administration, 55 State Department nominees were confirmed by the Senate. In the first 300 days of Biden's Presidency, the Senate has confirmed one-quarter of that number.

Actions speak louder than words. If our colleagues care about our national security, they would match deeds with words and swiftly confirm the 59 State Department nominees who are awaiting confirmation on the Senate floor.

Unfortunately, the holdup is not only on the floor of the Senate but also in the Foreign Relations Committee. Eleven nominees in committee are awaiting business meetings, and 21 haven't even been able to have a hearing to advocate for themselves and their qualifications.

What is worse from my perspective, the nominations that are being affected by this obstruction are disproportionately women. In a Foreign Service where men still outnumber women and where we are trying to become a more diverse State Department, it is critical that we confirm these qualified women.

Amid increased Russian aggression toward our Ukrainian allies, it is particularly important that we confirm without delay the nominee to be Ambassador to NATO, Julie Smith.

How can we advocate for American interests abroad, how can we represent American citizens abroad, how can we support our economic interests if we don't have people in place who can do that?

When we look at the increasing global threats to the United States, oper-

ating with a depleted diplomatic corps jeopardizes our national security. It jeopardizes U.S. interests and the safety of Americans at home and abroad. The political games that are being played by a few Members of this body are risking very serious consequences.

I see my colleague from Ohio, who is the cochair of the Ukrainian Caucus, has come in. Perhaps he would work with me to try to get Julie Smith, our Ambassador to NATO, confirmed so that we have somebody there who can help as we are looking at the crises that are happening in Eastern Europe. I know we can work together in a rational, bipartisan way to address our country's basic needs because we have just seen it. We saw it with the bipartisan infrastructure bill that was just signed this week. Confirming Presidential nominees is one of the most fundamental responsibilities of the Senate. It is the heart of article II in the Constitution.

What we have seen to date is no substantive objection to the nomination of Dilawar Syed to be Deputy SBA Administrator or to the nominations to fill numerous critical national security and foreign policy positions. This is obstruction for obstruction's sake, and it has very real consequences for our country, for our small businesses, and for our national security and foreign policy. I hope that we will be able to work together on both sides of the aisle to address those nominees, who must be confirmed if we are to represent American interests at home and abroad.

Again, I want to thank Chairman CARDIN for his hard work as head of the Small Business Committee and for the work that he has done on the Foreign Relations Committee as we have tried to address those people who need to be confirmed. Obviously, he has worked very closely with Senator MENENDEZ, the chair of the Foreign Relations Committee. These are two committees that I have the honor of serving on, and they have historically operated on a very bipartisan, very collaborative basis. That is why it is so disheartening to see the breakdown that is occurring.

I hope that our colleagues will have a change of heart, that we will be able to move forward, and that we will be able to work together. I look forward to doing everything I can to make that happen.

I yield the floor.

**THE PRESIDING OFFICER.** The Senator from Ohio.

#### TRIBUTE TO DR. KRISTINA M. JOHNSON

**Mr. PORTMAN.** Mr. President, I rise today to pay tribute to Dr. Kristina M. Johnson and celebrate her investiture as the 16th president of the Ohio State University.

Dr. Johnson brings more than 30 years of experience and leadership in the academic, business, and public policy sectors to Ohio State, along with some very ambitious goals she has for the university.

Although the formal investiture was postponed until this Friday, November 19, due to COVID, Dr. Johnson actually assumed the presidency in August of last year, and her leadership has already helped the university community to come together during the past year of the pandemic. Ohio State is in full swing—classes, research, and other activities. They have a darn good football team under her leadership as well—currently No. 4 in the country and on its way up. Go, Bucks.

The Ohio State University was founded in 1870 as a land grant university—the first of its kind in Ohio. Over the years, the university has grown into one of the largest and best respected institutions in the country.

Dr. Johnson actually has close family ties to Ohio State. Family lore has it that Dr. Johnson's grandfather, who graduated from Ohio State in 1896, met Dr. Johnson's grandmother on the Columbus campus. We like to think those close ties to OSU and deep family roots in Ohio have made her a Buckeye in spirit all along.

Dr. Johnson comes to the Ohio State University after a long career in academic and business leadership. She previously served as the chancellor of the State University of New York system and has founded and served as CEO of several successful science and technology companies, served as the Under Secretary of Energy at the Department of Energy, and held academic leadership positions in institutions such as Johns Hopkins University, Duke University, and the University of Colorado at Boulder. Her breadth of experience from academic leadership, business, and public policy gives her the important tools to successfully lead the Ohio State University.

I have enjoyed getting to know Dr. Johnson over the past year and a half, and I have been impressed with how the students have embraced her. It is a great student body. I have seen that firsthand at Ohio State, having taught four courses at the Glenn School of Public Affairs—now the Glenn College of Public Affairs—before being elected to the U.S. Senate, and I am proud to have been a member of the advisory board of the exciting Glenn College for the past 12 years.

I believe the students and the faculty and the alumni and the friends who make up the Ohio State University community are very fortunate to have Dr. Johnson at the helm during this time. I wish her the very best as she continues to guide Ohio State into the future while focusing on academic excellence and building a strong and passionate community of Buckeyes. I look forward to continuing to work with Dr. Johnson to ensure her success and the success of the great institution, the Ohio State University.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

INFLATION

Mr. KENNEDY. Gosh, Mr. President, I wish I didn't have to give this talk.

I think it is a bipartisan observation that, unfortunately, Americans are paying a lot more for just about everything. I asked my staff to put together some inflation numbers, and they are just breathtaking: gasoline, up 50 percent; rental cars, up 42.9 percent; you need a used car or truck, they are up 26 percent; a turkey, 20.2 percent; bacon, 20.2 percent; beef, 20.1 percent; pork chops, 15.9 percent; bedroom furniture, 12 percent higher than last year; eggs, up 11.6 percent; televisions, up 10 percent; frozen fruits and vegetables, up 7½ percent; chicken, up 8.8 percent; shoes, up 8 percent; baby food, up 8 percent; children's clothes, up 7.6 percent. And I could keep going. Unbelievable.

Now, I believe in calling them like I see them. I think most fairminded Americans know that President Biden is responsible for this inflation. You don't have to be Einstein's cousin to figure that out. But put the politics aside. The shame of all this is that the burden of these price increases is falling on the backs of the American people, and while Washington is obsessed with the politics of it, the American people and the people in my State have to bear the cost.

A lot of people, Mr. President, as you well know, just can't afford to pay 50 percent more to fill up their gas tanks. They can't afford to have to stop and go arrange a bank loan to go to the gas station or to the grocery store.

Unfortunately, for Americans in my State and your State and across the country, here with winter coming on, the cost of heating homes is also going up just in time for temperatures to fall. So the cost of heating is going up, and the temperatures are going down. A lot of families are going to have to shell out up to 30 percent more for natural gas than they did this past year. Ask them if their income went up 30 percent.

As our days grow shorter, the economic landscape, unfortunately, is getting darker.

Thanksgiving is just around the corner. It is a cherished American holiday.

But even the holiday that Americans observe in order to count our blessings is coming with new hardships. According to the New York Times, Thanksgiving 2021, and I quote, "could be the most expensive meal in the history of the holiday."

As I just mentioned a few seconds ago, frozen turkey is going to set you back 20 percent more than it did last year. If you like gravy with your turkey, get ready to pay 7 percent more for gravy. Maybe you don't eat meat. Maybe you are a vegan. Unfortunately, frozen vegetables are also going to cost you 7 to 7½ percent more, and the high prices only apply if you can find food in the supermarkets. Some of these food products, you can't even find with Google. There is no guarantee that the cranberry sauce and the sweet potatoes will be in stock come dinnertime.

Now, this is America. This is 2021. This isn't the Soviet Union, 30, 40, 50

years ago. My God, Washington ought to hide its head in a bag.

The official general inflation rate is 6.2 percent higher than it was last October, and that happens to be the largest increase in over 30 years. But we all know, and I can tell you, real people in the real world who go to the grocery store and the clothing store and pay their insurance bill and go try to buy an automobile know that it is not 6.2 percent. It is a lot higher.

I need to ask a question, though. Are you really surprised? Are you really surprised that prices are rising when the Biden administration is printing money, when the Biden administration is exploding our debt, when the Biden administration is forfeiting America's energy independence, when the Biden administration is paying people to watch Netflix instead of producing the goods we need, when the Biden administration is ignoring gridlock in our supply chain? The American people aren't surprised.

For months—for months—the White House has turned gaslighting Americans about the inflation crisis into an art form. White House officials pretend inflation—if you ask them—oh, it is just temporary—a temporary problem. Temporary, a rat's rear end. It is actually a soul-crushing, job-killing tax on working Americans. That is what inflation is.

Every time you go to the grocery store, your taxes go up. And inflation hits lower-income and middle-income families the hardest. And anyone who doesn't believe that should ask Secretary Kerry whether fuel prices have grounded his private jet. Of course not. He is rich. He has got a private jet. He doesn't feel it.

You know who feels it? The moms and dads in this country who get up every day, who go to work and obey the law and pay their taxes and try to do the right thing by their kids and try to save a little money for retirement. That is who pays this tax that the economists call inflation.

This inflation didn't just appear out of nowhere. I mean, any economist with a pulse knows where this inflation came from. Inflation comes from too much money chasing too few goods. And when you have an administration, as we do with the Biden administration, that spends money like it was gully dirt, whose mantra is, "We can't possibly spend enough taxpayer money, there is not enough hours in the day"—of course, you don't have inflation. Of course, you don't have inflation.

Now, what is President Biden doing tonight? Well, I have noticed that the Biden administration, when it comes to economics and other areas as well, they never make the same mistake twice. They make it five or six times, just to be sure.

So how's the Biden administration going to deal with this economic cancer of inflation which is killing the American people? Their idea is: Let's go pass a spending orgy bill—they call

it reconciliation—of epic, epic proportions, chockful of welfare blowouts when we can't afford the social programs we have now.

Are you kidding me?

Are you kidding me?

And one White House official claimed earlier this week that the President's—he calls it a \$1.75 trillion bill. It is going to end up, we all know, being a lot more than that. He says it will actually reduce inflation. Right—and those aren't hogs in the hog lot.

Just wait. The fact is, unless you were in the quad playing Frisbee during Econ 101, you know this is truth. The fact is that massive government spending has kept workers on the sidelines and has fueled inflation. But the only comfort the permanent Washington types are sending to folks gathered around a historically expensive Thanksgiving table is that more—not less—more of the same insane policies are coming down the pipeline through what the President calls the Build Back Better bill. And I think most Americans call it the Build Back Broker bill.

Have you looked at the bill?

I looked at the House bill a bit. I started reading it. I am probably going to go broke just reading the thing.

Neosocialists love this bill. They love it like the devil loves sin, but the American people aren't going to love it. Louisianans are not going to love it. Louisianans love their families, and they just want to provide for them, especially at Thanksgiving and at Christmas. And they can't do it with inflation raging.

This Thanksgiving, what most Americans need the most is relief—not just relief from inflation, but relief from bad leadership.

Now, I want my friends in the Biden White House to know that I am genuinely interested in working with them to solve America's inflation problem, but you are not going to do it by spending more money. You are not going to do it by throwing gasoline on the fire.

The first rule is to do no harm. Do no harm, and by that, I mean that my Democratic friends should stop trying to ram this multitrillion dollar tax-and-spend bill through Congress. And they should stop for two reasons: Americans don't want it, and Americans can't afford it.

So this Thanksgiving, Madam President—and I hope you have a good one—I hope my Democratic friends will give up on tying millstones around the neck of the American economy. I hope they will give up fueling inflation with another extremist spending orgy bill.

And if they would do that, if they would just do that, Americans could sit down to eat next Thursday and give thanks that compassion and common sense have finally prevailed in Washington, DC, where, frankly, on most issues, common sense is illegal.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. SMITH). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### BORDER SECURITY

Mr. CORNYN. Madam President, yesterday, the Secretary of Homeland Security, Mr. Mayorkas, testified before the Senate Judiciary Committee. It is the first time he has been before the Judiciary Committee for an oversight hearing. Of course, our minds were all on the crisis that is currently underway—and has been since the beginning of this year—at the border.

When our colleague Senator LINDSEY GRAHAM asked him how he would rate his own performance so far, he gave a bizarre answer. He said: "I [would] give myself an A for effort." Well, that is the type of rating you would give yourself if you offered to cook dinner and completely bungled the recipe, or if you ordered a really thoughtful Christmas gift for your spouse, but it didn't arrive on time, you would give yourself an A for effort. But when you are talking about the person who is responsible for some of our Nation's most critical responsibilities for which there are life-and-death consequences, an A for effort is hardly acceptable, and in this case, it is an overly generous assessment.

Over the last year, Customs and Border Protection has encountered more than 1.7 million migrants along the southern border—the highest on record. In 1 month alone, more than 213,000 migrants crossed the border, including 19,000 unaccompanied children. The Secretary may think he is worthy of an A for effort, but the numbers certainly do not reflect that.

The American people are clearly concerned about the way things are going. A recent poll found that more than 80 percent of voters think illegal immigration is a serious issue. Nearly two-thirds believe that the President's Executive orders actually encourage more illegal immigration, and, as a result, only 35 percent of voters approve of the President's handling of the border.

Leaders in the administration have tried to play the blame game, saying, well, they inherited policies from the previous administration that led to the crisis. That seems to be part of the playbook—let's blame Trump; let's blame the previous administration and absolve ourselves of any responsibility—but they have simply failed to provide an explanation to why those policies led to 460,000 fewer encounters in fiscal year 2020 but more than 1.7 million in 2021.

There is no question at all that this crisis is a direct result of the Biden administration's words and deeds. Back in February, just a few weeks after President Biden took his oath of office, migrants who were interviewed in their trek from their homes across our border said as much. One woman who

crossed the Rio Grande River on a smuggler's raft said that she and her 1-year-old son only came to the United States because of the Biden administration. She said: "That gave us the opportunity to come." The administration has signaled that it is not only OK with the record levels of illegal immigration but that it is actively encouraging more people to make the trek.

Prior to the Biden administration's border crisis, there was a clear and sensible process for migrants who crossed our border to claim asylum. That individual would be processed by the Border Patrol and undergo a credible fear assessment, which is the standard for claiming asylum, essentially determining, at least as a preliminary matter, whether they would qualify for asylum. If so, that person would be issued a notice to appear at a future court hearing—a critical document that tells asylum seekers when and where to show up for their day in court.

But under Secretary Mayorkas's leadership, that is not happening anymore. I have heard from many folks in Texas about the fact that huge numbers of migrants are now being released without a notice to appear. Thousands of migrants have been released with what is now called a notice to report—essentially, a document that says: When you get where you are going, turn yourself in to your local Immigration and Customs Enforcement office.

Well, these migrants haven't undergone a credible fear screening, so we have no way of knowing how many of them will likely, potentially, qualify for asylum. We do know, based on decisions from immigration courts, that only about 10 percent of the people who claim asylum actually qualify under the prevailing legal standard.

Because these migrants haven't undergone preliminary screening, we have no information about the validity of their asylum claims. And it is unclear whether the administration has given any teeth at all to the warning that the failure to contact the local ICE office may result in your arrest. In other words, there are no consequences for not showing up.

The Department of Homeland Security is now telling us that they have stopped issuing notices to report, but the truth is, they have just changed the title. They are still paroling migrants into the United States without issuing a notice to appear. When these migrants inevitably fail to turn themselves in to the nearest ICE office—and ICE's internal figures suggest the compliance rate is unsurprisingly low—it isn't clear that the Department of Homeland Security will do anything at all to locate them and remove them from the United States even though they haven't complied with the process that they have been told they must comply with. The Biden administration has made it even easier for migrants to disappear into the great American heartland.

Several weeks ago, Secretary Mayorkas gave migrants another reason to believe that they could make it across our borders and be able to stay. According to Secretary Mayorkas, illegally entering our country is no longer reason enough for ICE to begin removal proceedings. The Secretary's guidance provided a few exemptions. In theory, illegal border crossers are a priority for enforcement but only if they are apprehended in the United States after unlawfully entering after November 1, 2020. It is unclear what the magic is with that date. In other words, ICE agents can't touch them unless another law enforcement agency picks them up first.

It says individuals convicted of serious criminal conduct who pose a current threat to public safety should be a priority for removal, but it is unclear what crimes meet those criteria. Is distributing or receiving child pornography considered serious criminal conduct? What about crimes like embezzlement? larceny? breaking and entering? sex offenses? It is unclear exactly what the standard is, and I think that is on purpose because clearly Secretary Mayorkas does not want the Border Patrol and Immigration and Customs Enforcement to actually enforce the law that Congress has written. We are the ones who make the policy, and the Border Patrol and Immigration and Customs Enforcement simply execute that policy. Clearly, Secretary Mayorkas is trying to confuse things such that no apprehension and detention takes place at all.

What if the distribution of child pornography, let's say, happened 4 years ago? Is the perpetrator no longer a priority for apprehension and removal now that the threat isn't "current"? In fact, the Secretary explicitly says the threat shouldn't be determined according to bright lines or categories. In other words, he wants to continue to fuzz it up and make it ambiguous. I don't understand why if you are actually serious about enforcing our laws. Is there a reason that any migrant convicted of possessing or distributing child pornography should be allowed to remain in the United States?

The Secretary indicates that even certain migrants, like those who are elderly or provide for their families, should be exempt from the law. That clearly is not within the authority of the Secretary to decide against whom the laws should be enforced. Does that mean that someone who committed a sexual assault 20 years ago but now has a family who depends on him should be able to remain in the United States?

It defies all common sense to ask our law enforcement officers to turn a blind eye when they encounter individuals who have clearly broken the law. Imagine calling the police to report an intruder in your home and being told, unless this person is young, childless, and murdered a member of your family, we can't do anything or we won't do anything.

The reality of the situation, however inconvenient it may seem for our colleagues on the other side of the aisle, is that, by entering the United States illegally—by doing that—migrants have broken the law, and there have to be consequences. The Secretary cannot, consistent with his oath of office, refuse to enforce those laws in order to appease his party's political base.

In fact, by clearly outlining who will and who will not be able to remain in the United States, notwithstanding what the law says, the administration is actually encouraging even more migrants to put themselves in harm's way to come to the United States. This is known as pull factors, which actually encourage more illegal immigration. Under this guidance, visa overstays aren't a priority for enforcement at all. If somebody comes in on a visa but overstays that visa, they are illegally present in the United States, but they don't have to worry about the Biden administration actually enforcing the law and removing them. In other words, the guidance is an open invitation for migrants to disregard the terms of their entry into the United States.

When President Biden's nominee for the Customs and Border Protection testified before the Senate Finance Committee, I asked the police chief from Arizona if he agreed that the Biden administration's policy of non-enforcement is a pull factor that is encouraging more illegal immigration. He admitted that, yes, it is.

So, yesterday, I asked Secretary Mayorkas the same question: Does this guidance of nonenforcement send a signal to criminal organizations, human smugglers, and migrants that if they illegally enter the United States and commit no other crimes, they can stay?

He said: No. That is 100 percent false.

But I disagree with Secretary Mayorkas. He is clearly not telling the truth. There is a clear correlation between the Biden administration's reckless policies and the record level of illegal migration.

Any administration, of course, has a certain amount of discretion when it comes to enforcement, but what we are seeing from Secretary Mayorkas isn't an exercise of discretion, and it is certainly not A-for-effort worthy. I don't think anyone expected Secretary Mayorkas to lead the charge to secure our borders and crack down on illegal immigration, but he is not even doing the bare minimum that his job description requires.

The truth is, the Biden administration has fumbled the border crisis at every turn. The President sent smoke signals about open borders before he even took office, and his administration has rolled out incentive after incentive for migrants to continue to break the law, and it has tied the hands of dedicated law enforcement officers who put their lives on the line to protect the American people.

We have got a border czar who once compared ICE to the Ku Klux Klan, and we have a DHS Secretary who gives himself an A even though more than 1.7 million migrants have crossed the border since he took office in February. So, while Secretary Mayorkas thinks he is entitled to an A for effort, there is no question that, on balance, the Biden administration has earned an F for its response to the border crisis.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. GRASSLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### INFLATION

Mr. GRASSLEY. Madam President, inflation soared to a 31-year high in October.

Now, after thinking about it, it seems President Biden and his allies are sensing inflation may endanger their reckless tax-and-spending agenda. Now, as a result, they have taken to arguing that the cure for the inflation spurred by their reckless spending is to pursue even more reckless spending.

I am not buying it. The American people aren't buying it either.

President Biden and his allies have been wrong about inflation from day one, and they are wrong now. Immediately after taking office, we all know what happened: They pursued a partisan \$2 trillion liberal wish list package under the guise of COVID relief, and only 9 percent of it was to fight COVID.

Congress had already approved \$4 trillion in bipartisan relief, including a nearly \$1 trillion bill, only a month prior to the President's inauguration. And all that money that was spent recovering from Congress shutting down the economy in March of 2020 was all passed in a bipartisan, cooperative way, not like bills this year are tuned up to just be partisan, with the majority Democrats of the House and Senate supplying all the support.

Now, our economy was already on the road to recovery when the President was sworn in, and highly effective vaccines were allowing economic activity to bounce back, and it did bounce back quickly.

I, along with many on my side of the aisle, warned that adding \$2 trillion on top of the existing relief—that money still entering the economy—risked sparking inflation, and it has.

And it wasn't just Republicans sounding the inflation alarm. Longtime Democratic economist Professor Larry Summers, who held top posts in both the Obama and Clinton administrations, also made his inflation concerns known. So Democrats in Congress and the White House don't even heed the advice of their own.

In a February Washington Post op-ed, Professor Summers warned President Biden's so-called COVID package might "set off inflationary pressures of a kind [that] we have not seen in a generation, with consequences for the value of the dollar and financial stability." Six and two-tenths inflation just announced, which proves that Professor Summers was right.

With a prominent liberal economist such as Larry Summers raising inflation concerns, wouldn't one think the President of the United States would begin to take the risk of inflation very seriously? It is not how it is turning out. Instead, President Biden and senior administration officials are doubling down, arguing the real risk was not spending enough.

Now, think about that for a second. Congress had already spent almost as much responding to COVID, in inflation-adjusted dollars, as it did in waging World War II. Yet we are somehow expected to believe too little spending, not inflation, was the real risk.

In reality, President Biden and congressional Democrats were simply determined to not let a crisis go to waste. They couldn't let a "high class problem" like inflation get in the way of passing "the most progressive piece of legislation in history."

How out of touch is that? Remember, inflation is a regressive tax that hurts the poor the most, increasing the cost of food, clothing, and shelter; in other words, affecting the basic essentials of life. Then, in the months to follow, inflation began to tick upward. In April, inflation clocked in at an annualized rate of 4.1 percent—the highest spike since the financial crisis of 2008.

Nothing to see here, the Biden administration officials said. That inflation was solely due to "base effects"—those are their words, "base affects"—that resulted from prices being suppressed during the pandemic.

In a month or two, they said inflation was to return to normal or you heard the word "transitional" inflation, as Fed Chairman Powell was preaching to the entire country. Now, of course, Powell has changed his mind, to some extent.

Now, around the same time, President Biden released his reckless tax-and-spending agenda, calling for an additional—can you believe it?—\$4,000 in spending?

Professor Larry Summers again sounded the inflation alarm warning, "[W]e are injecting more demand into the economy than the potential supply . . . and that will generate overheating."

Now, skip ahead a month to June. Inflation surges to 5.4 percent. Again, the administration claims that there is nothing to worry about. Again, we are told inflation is merely transitory and solely the result of bottlenecks in the supply chain.

Inflation remained at those elevated levels of 5.4 percent July through September. Inflation was persisting longer

than the administration expected. But they were still sure it was only transitory.

According to President Biden, "[N]o serious economist"—those are his words—" [N]o serious economist" was predicting spiraling inflation. Really? Larry Summers, a Harvard professor and former Clinton Secretary of Treasury, isn't a serious economist?

I will tell you how serious of an economist he is. I think he got on the Harvard staff at a very young age with a title of distinguished professor. And I think he was only about 30 years of age at that time. Then, early this month, the inflation numbers for October were released. Inflation surged to 6.2 percent. That is the highest inflation rate in 31 years.

Only then did the administration begin to acknowledge that inflation is a problem. To do otherwise would be an insult to the intelligence of the American public. Hard-working Americans have been experiencing historically high price increases for more than half a year.

The Biden inflation tax on average Americans is now \$175 a month, which equates to about an extra \$2,100 of costs every year. Gone are the claims that inflation is transitory. Instead, according to President Biden, "[i]nflation hurts Americans' pocketbooks, and reversing this trend" is his "top priority."

Now, President Biden and his allies claim the key to reversing this inflation trend is to enact the same reckless tax-and-spending agenda that they have been pursuing all year. How convenient. The solution to surging inflation is the same agenda he has been passing all along.

I won't go as far as President Biden and try to claim no serious economist agrees with him. However, even the economists cited by the administration as supporting their agenda do have caveats. Those caveats include that their spending policies are entirely paid for and are structured in a way that will increase labor productivity.

The current version of their spending plans doesn't come close to meeting those huge caveats. The President claims his agenda is completely paid for, but those claims rest solely on sleight of hand and budget gimmickry.

Their largest gimmick comes from artificially sunset spending provisions that they do not intend to expire while imposing a permanent tax hike. In other words, increasing taxes and accounting it for over the 10-year period of time that the Congressional Budget Office looks ahead—spend that money in the first 2 or 3 years, and then supposedly the program is going to sunset. But everybody knows that these programs won't sunset. So you better figure what the long-term cost is. And that is that \$4.2 trillion that has been in the press since this Build Back Better program hit the press.

Now, on another point, even taking President Biden's claim at face value,

his agenda will result in hundreds of billions of dollars of increased deficit spending in the near term, fueling current inflation pressures.

Moreover, according to a Penn Wharton Budget Model and its analysis, under the more realistic assumption that their spending proposals are made permanent, their plan would increase debt and deficit by more than \$2 trillion over 10 years. The Penn Wharton Budget Model shows that.

As a result, then, by 2050, government debt would be 24 percent higher, economic growth would be 3 percent lower, and wages would be 1.7 percent less than they otherwise would be.

Now, he calls the program Building Back Better. This is a recipe for building back worse. The bottom line is that the President's ill-designed spending-and-tax spree isn't deficit neutral. It won't boost productivity, but it will fuel inflation. So I think after this October report comes out of inflation being the highest in 31 years at 6.2 percent, it is time to pause and rethink this entire approach.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. OSSOFF).

The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. REED. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KELLY). Without objection, it is so ordered.

Mr. REED. Mr. President, I ask unanimous consent that the vote on the motion to proceed to Calendar No. 144, H.R. 4350 occur now.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 144, H.R. 4350, a bill to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Charles E. Schumer, Jack Reed, Jon Tester, Jeanne Shaheen, Margaret Wood Hassan, Angus S. King, Jr., Alex Padilla, Sherrod Brown, Mark Kelly, Tim Kaine, Jacky Rosen, Tina Smith, Ben Ray Lujan, John Hickenlooper, Christopher A. Coons, Raphael Warnock, Mazie Hirono.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to



proceed to H.R. 4350, a bill to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Maryland (Mr. VAN HOLLEN) is necessarily absent.

The yeas and nays resulted—yeas 84, nays 15, as follows:

[Rollcall Vote No. 472 Leg.]

#### YEAS—84

Baldwin	Hagerty	Peters
Barrasso	Hassan	Reed
Bennet	Heinrich	Risch
Blumenthal	Hickenlooper	Romney
Blunt	Hirono	Rosen
Brown	Hoeven	Rounds
Burr	Hyde-Smith	Rubio
Cantwell	Inhofe	Sasse
Capito	Johnson	Schatz
Cardin	Kaine	Schumer
Carper	Kelly	Scott (FL)
Casey	King	Scott (SC)
Cassidy	Klobuchar	Shaheen
Collins	Lankford	Shelby
Coons	Leahy	Sinema
Cornyn	Lee	Smith
Cortez Masto	Lujan	Stabenow
Cramer	Manchin	Tester
Crapo	Marshall	Thune
Daines	McConnell	Tillis
Duckworth	Menendez	Toomey
Durbin	Merkley	Tuberville
Ernst	Moran	Warner
Feinstein	Murkowski	Warkock
Fischer	Murphy	Whitehouse
Gillibrand	Murray	Wicker
Graham	Ossoff	Wyden
Grassley	Padilla	Young

#### NAYS—15

Blackburn	Cruz	Paul
Booker	Hawley	Portman
Boozman	Kennedy	Sanders
Braun	Lummis	Sullivan
Cotton	Markey	Warren

#### NOT VOTING—1

Van Hollen

The PRESIDING OFFICER (Mr. KING). On this vote, the yeas are 84, the nays are 15.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The majority leader.

**AWARDING POSTHUMOUSLY A CONGRESSIONAL GOLD MEDAL, IN COMMEMORATION TO THE SERVICEMEMBERS WHO PERISHED IN AFGHANISTAN ON AUGUST 26, 2021, DURING THE EVACUATION OF CITIZENS OF THE UNITED STATES AND AFGHAN ALLIES AT HAMID KARZAI INTERNATIONAL AIRPORT**

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5142, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 5142) to award posthumously a Congressional Gold Medal, in commemoration to the servicemembers who perished in Afghanistan on August 26, 2021, during the evacuation of citizens of the United States and Afghan allies at Hamid Karzai International Airport, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. SCHUMER. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 5142) was ordered to a third reading, was read the third time, and passed.

Mr. SCHUMER. Mr. President, we just passed H.R. 5142, which awards the Congressional Gold Medal to 13 servicemembers. They are American heroes, and today the Senate will honor them as such.

Our Nation is forever indebted to these brave men and women and their families for their sacrifice that enabled the safe evacuation of more than 100,000 Americans and Afghan allies.

They risked their lives for our country, and their heroic efforts will not be forgotten.

#### NATIONAL HOSPICE AND PALLIATIVE CARE MONTH

Mr. SCHUMER. Now, Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 455, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 455) designating November 2021 as "National Hospice and Palliative Care Month".

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 455) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### MORNING BUSINESS

#### NOTICE OF A TIE VOTE UNDER S. RES. 27

Mr. WYDEN. Mr. President, I ask unanimous consent to print the following letter in the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

*To the Secretary of the Senate:*

PN 1026, the nomination of Samuel R. Bagenstos, of Michigan, to be General Counsel of the Department of Health and Human Services having been referred to the Committee on Finance, the Committee, with a quorum present, has voted on the nomination as follows—

(1) on the question of reporting the nomination favorably with the recommendation that the nomination be confirmed, 14 yeas to 14 noes; and

In accordance with section 3, paragraph (1)(A) of S. Res. 27 of the 117th Congress, I hereby give notice that the Committee has not reported the nomination because of a tie vote, and ask that this notice be printed in the RECORD pursuant to the resolution."

#### REMEMBERING HUGH K. LEATHERMAN, SR.

Mr. GRAHAM. Mr. President, along with my fellow Senator from South Carolina, Mr. SCOTT, I rise today to honor the life of South Carolina State Senator Hugh K. Leatherman, Sr., who passed away, surrounded by his loving family, on November 12, 2021, at the age of 90.

Senator Leatherman was born on April 14, 1931, in Lincoln County, NC. He was raised on a farm and attended North Carolina State University, earning a degree in civil engineering in 1953. In 1955, he moved to South Carolina to start a concrete company, before starting his political career. His expansive political career began in 1967 after being elected to serve on the Quinby Town Council. During his term on the town council, he served as mayor pro tempore for the town of Quinby from 1971 to 1976. In 1980, Senator Leatherman ran for South Carolina State Senate and served the people of District 31, which includes Darlington and Florence Counties. On June 18, 2014, Senator Leatherman was elected president pro tempore. He also served as the chairman of the powerful senate finance committee, as well as a member of the ethics, interstate cooperation, rules, transportation and the labor, commerce and industry committees.

As a State senator, a position he held for more than 40 years, Senator Leatherman's dedication to the State could not be questioned. When it came to the needs of South Carolina, he was always at the forefront of getting things done. His statewide perspective led him to championing the Port of Charleston Harbor Deepening Project, as well as recruiting companies like Boeing, Honda, and Volvo to come to the State he loved so intensely. He will be remembered as having one of the most effective voices for his region and the State and was always looking towards what the State of South Carolina could become.

Senator Leatherman's devotion to his State and his constituency should be a model from which all public servants look to follow. We grieve his loss